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House File 2085 - Introduced

HOUSE FILE 2085

BY HEARTSILL, SCHULTZ, and
SHEETS

A BILL FOR

1 An Act relating to child sexual abuse and child sexual assault
2 awareness and prevention.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5174YH (7) 85
kh/sc



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1 Section 1. Section 256.9, subsection 50, paragraph a, Code
2 2014, is amended to read as follows:
3 a. Develop and make available to school districts, examples
4 of age-appropriate and research-based materials and lists
5 of resources which parents may use to teach their children
6 to recognize unwanted physical and verbal sexual advances,
7 to not make unwanted physical and verbal sexual advances,
8 to effectively reject unwanted sexual advances, that it is
9 wrong to take advantage of or exploit another person, about
10 the dangers of sexual exploitation by means of the internet
11 including specific strategies to help students protect
12 themselves and their personally identifiable information
13 from such exploitation, and about counseling, medical, and
14 legal resources available to survivors of sexual abuse and
15 sexual assault, including resources for escaping violent
16 relationships. The materials and resources shall cover verbal,
17 physical, and visual sexual harassment, including nonconsensual
18 sexual advances, and nonconsensual physical sexual contact
19 and shall also cover child sexual abuse and child sexual
20 assault awareness and prevention. In developing the materials
21 and resource list, the director shall consult with entities
22 that shall include but not be limited to the departments of
23 human services, public health, and public safety, education
24 stakeholders, and parent-teacher organizations. School
25 districts shall provide age-appropriate and research-based
26 materials and a list of available community and internet-based
27 resources to parents at registration and shall also include
28 the age-appropriate and research-based materials and resource
29 list in the student handbook. School districts are encouraged
30 to work with their communities to provide voluntary parent
31 education sessions to provide parents with the skills and
32 appropriate strategies to teach their children as described
33 in this subsection. School districts shall incorporate the
34 age-appropriate and research-based materials into relevant
35 curricula and shall reinforce the importance of preventive

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1 measures when reasonable with parents and students.

2 Sec. 2. Section 272.2, Code 2014, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 19. Adopt rules establishing continuing
5 education requirements for renewal of a license, certificate,
6 statement of professional recognition, or authorization.
7 Continuing education activities may include but are not limited
8 to participating in or presenting at in-service training
9 programs on child sexual abuse and sexual assault awareness and
10 prevention.

11 Sec. 3. Section 279.50, subsection 2, Code 2014, is amended
12 to read as follows:

13 2. Each school board shall provide age-appropriate and
14 research-based instruction in human growth and development
15 including instruction regarding ~~human~~ the following:

16 a. Human sexuality, self-esteem, stress management,
17 interpersonal relationships, domestic abuse, HPV and the
18 availability of a vaccine to prevent HPV, and acquired immune
19 deficiency syndrome as required in section 256.11, in grades
20 one through twelve.

21 b. Child sexual abuse and child sexual assault awareness
22 and prevention in kindergarten through grade twelve, and in
23 prekindergarten if the school district offers a prekindergarten
24 program.

25 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
26 with section 25B.2, subsection 3, the state cost of requiring
27 compliance with any state mandate included in this Act shall
28 be paid by a school district from state school foundation aid
29 received by the school district under section 257.16. This
30 specification of the payment of the state cost shall be deemed
31 to meet all of the state funding-related requirements of
32 section 25B.2, subsection 3, and no additional state funding
33 shall be necessary for the full implementation of this Act
34 by and enforcement of this Act against all affected school
35 districts.

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EXPLANATION

2 The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

4 This bill relates to child sexual abuse and sexual assault
5 awareness and prevention by providing that continuing education
6 activities authorized by the board of educational examiners
7 for purposes of renewing a license, certificate, statement
8 of professional recognition, or authorization may include
9 participating in or presenting at in-service training programs
10 on child sexual abuse and child sexual assault awareness and
11 prevention. The bill also requires school districts to provide
12 age-appropriate and research-based instruction in child sexual
13 abuse and child sexual assault awareness and prevention as part
14 of its human growth and development instruction in kindergarten
15 through grade twelve, and in prekindergarten if the school
16 district offers a prekindergarten program.

17 Currently, the director of the department of education has
18 a duty to develop and make available to school districts,
19 examples of age-appropriate and research-based materials. The
20 bill specifies that the age-appropriate and research-based
21 materials and resources shall also cover child sexual abuse and
22 child sexual assault awareness and prevention.

23 This bill may include a state mandate as defined in Code
24 section 25B.3. The bill requires that the state cost of
25 any state mandate included in the bill be paid by a school
26 district from state school foundation aid received by the
27 school district under Code section 257.16. The specification
28 is deemed to constitute state compliance with any state mandate
29 funding-related requirements of Code section 25B.2. The
30 inclusion of this specification is intended to reinstate the
31 requirement of political subdivisions to comply with any state
32 mandates included in the bill.



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House File 2086 - Introduced

HOUSE FILE 2086
BY HEARTSILL, PETTENGILL,
KAUFMANN, GASSMAN, and
SCHULTZ

A BILL FOR

1 An Act providing for midwife licensure and providing for a fee
2 and a penalty, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5039YH (7) 85
jr/nh



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1 Section 1. Section 147.1, subsections 3 and 6, Code 2014,
2 are amended to read as follows:
3 3. "*Licensed*" or "*certified*", when applied to a physician
4 and surgeon, podiatric physician, osteopathic physician and
5 surgeon, physician assistant, psychologist, chiropractor,
6 nurse, dentist, dental hygienist, dental assistant,
7 optometrist, speech pathologist, audiologist, pharmacist,
8 physical therapist, physical therapist assistant, occupational
9 therapist, occupational therapy assistant, orthotist,
10 prosthetist, pedorthist, respiratory care practitioner,
11 practitioner of cosmetology arts and sciences, practitioner
12 of barbering, funeral director, dietitian, marital and family
13 therapist, mental health counselor, social worker, massage
14 therapist, midwife, athletic trainer, acupuncturist, nursing
15 home administrator, hearing aid dispenser, or sign language
16 interpreter or transliterator means a person licensed under
17 this subtitle.
18 6. "*Profession*" means medicine and surgery, podiatry,
19 osteopathic medicine and surgery, practice as a physician
20 assistant, psychology, chiropractic, nursing, dentistry,
21 dental hygiene, dental assisting, optometry, speech pathology,
22 audiology, pharmacy, physical therapy, physical therapist
23 assisting, occupational therapy, occupational therapy
24 assisting, respiratory care, cosmetology arts and sciences,
25 barbering, mortuary science, marital and family therapy,
26 mental health counseling, social work, dietetics, massage
27 therapy, midwifery, athletic training, acupuncture, nursing
28 home administration, hearing aid dispensing, sign language
29 interpreting or transliterating, orthotics, prosthetics, or
30 pedorthics.
31 Sec. 2. Section 147.2, subsection 1, Code 2014, is amended
32 to read as follows:
33 1. A person shall not engage in the practice of medicine
34 and surgery, podiatry, osteopathic medicine and surgery,
35 psychology, chiropractic, physical therapy, physical

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1 therapist assisting, nursing, dentistry, dental hygiene,
2 dental assisting, optometry, speech pathology, audiology,
3 occupational therapy, occupational therapy assisting,
4 orthotics, prosthetics, pedorthics, respiratory care,
5 pharmacy, cosmetology arts and sciences, barbering, social
6 work, dietetics, marital and family therapy or mental health
7 counseling, massage therapy, midwifery, mortuary science,
8 athletic training, acupuncture, nursing home administration,
9 hearing aid dispensing, or sign language interpreting
10 or transliterating, or shall not practice as a physician
11 assistant, unless the person has obtained a license for that
12 purpose from the board for the profession.

13 Sec. 3. Section 147.13, Code 2014, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 25. For midwifery, the board of midwifery.

16 Sec. 4. Section 147.14, subsection 1, Code 2014, is amended
17 by adding the following new paragraph:

18 NEW PARAGRAPH. x. For midwifery, a total of seven members,
19 three members who are licensed midwives under chapter 148G;
20 one member who is licensed under chapter 148, is a practicing
21 family physician, and has professional experience consulting
22 for and collaborating with direct-entry midwives; one member
23 who is an advanced registered nurse practitioner licensed under
24 chapter 152, is a certified nurse midwife, and has professional
25 experience consulting for and collaborating with direct-entry
26 midwives; and two members who are not licensed midwives or
27 licensed health care providers who have received direct-entry
28 midwifery services and who shall represent the general public.

29 Sec. 5. Section 147.74, Code 2014, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 5A. A midwife licensed under chapter 148G
32 may use the words "licensed midwife" or the initials "L.M."
33 after the person's name.

34 Sec. 6. NEW SECTION. 148G.1 Definitions.

35 As used in this chapter, unless the context otherwise

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1 requires:

2 1. *"Board"* means the board of midwifery.

3 2. *"Licensed midwife"* means a person who is licensed to
4 practice midwifery as provided in this chapter.

5 3. *"Out-of-hospital"* means any facility, institution, or
6 place which is not an ambulatory surgical center or a hospital,
7 such as a birth center as defined in section 135.61 or a
8 private home.

9 4. *"Practice of midwifery"* means the provision of primary
10 maternity care during the antepartum, intrapartum, or
11 postpartum period by a person who is neither licensed to
12 practice under chapter 148 or 148C, nor a nurse recognized
13 by the Iowa board of nursing as an advanced registered nurse
14 practitioner who is a certified nurse midwife, and who is not
15 rendering emergency services without compensation. *"Practice*
16 *of midwifery"* may also include the carrying and administration
17 of certain medications during the practice of midwifery,
18 including oxytocin, as a postpartum antihemorrhagic agent,
19 oxygen, intravenous fluids for stabilization, vitamin K, eye
20 prophylactics, and other drugs or procedures as appropriate for
21 the scope of practice for licensed midwives as determined by
22 the board.

23 Sec. 7. NEW SECTION. 148G.2 Licensure — licensed
24 midwifery.

25 1. Beginning July 1, 2015, every person practicing
26 midwifery in this state shall be licensed pursuant to this
27 chapter. The board shall adopt rules pursuant to chapters 17A,
28 147, and 272C establishing procedures for the licensing of new
29 and practicing midwives.

30 2. Prior to obtaining licensure, an applicant shall
31 successfully pass an examination prescribed and approved by
32 the board as determined in rule demonstrating competencies
33 in at least all of the following areas: risk assessment
34 and management; prenatal care; management of normal labor,
35 birth, and postpartum; newborn care up to six weeks; and adult

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1 cardiopulmonary resuscitation and newborn resuscitation.

2 3. The applicant shall provide documentation, satisfactory
3 to the board, of all of the following:

4 a. Knowledge and proficiency of all didactic components
5 of midwifery, including definitions, signs and symptoms,
6 differential diagnosis for risk assessment, stabilization and
7 treatment, follow-up, referral, and transport.

8 b. Complete and thorough preparation as an assistant
9 midwife prior to assuming responsibility as a primary midwife.
10 Clinical care performed under supervision during training
11 including, at a minimum:

12 (1) Seventy-five prenatal exams.

13 (2) Twenty births as an assistant midwife.

14 (3) Twenty births as primary midwife from the onset of labor
15 to the delivery of the placenta and the stabilization of mother
16 and newborn.

17 (4) Twenty newborn exams.

18 (5) Forty postpartum exams.

19 c. Assessment and verification of performance of skills
20 during an intensive, hands-on skills assessment, performed for
21 and scored by an evaluator approved by the board.

22 d. Passage of a three-hundred-fifty-item national board
23 examination that covers all aspects of midwifery care as
24 identified by job analysis.

25 e. Evidence that the applicant has provided prenatal,
26 intrapartal, and postpartal care as well newborn assessment,
27 equivalent to a minimum of one thousand three hundred fifty
28 clinical contact hours under the direct supervision of one or
29 more instructors approved by the North American registry of
30 midwives.

31 4. The applicant shall hold a certified professional
32 midwife credential issued by the North American registry of
33 midwives or any other nationally accredited credential as
34 specified by the board. If an applicant has been subject to
35 prior revocation of a license to practice medicine or nursing,

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1 the applicant shall not be eligible for licensure under this
2 chapter, except as determined by the board.
3 5. The board may request, at the applicant's expense, that
4 the department of public safety perform a criminal history
5 check and the department of human services perform child and
6 dependent adult abuse record checks of the applicant. If an
7 applicant has a criminal record or a record of founded child or
8 dependent adult abuse, the board shall perform an evaluation to
9 determine whether the record warrants denial of licensure.

10 Sec. 8. NEW SECTION. 148G.3 Use of title — penalty.

11 A person shall not use the title licensed midwife, describe
12 or imply that the person is a licensed midwife, or represent
13 the person as a licensed midwife unless the person is licensed
14 under this chapter or is licensed as a nurse-midwife under
15 chapter 152.

16 Sec. 9. NEW SECTION. 148G.4 Rules.

17 1. The board shall:

18 a. Adopt rules relating to standards for professional
19 conduct of persons licensed under this chapter.

20 b. Adopt rules consistent with this chapter and with
21 chapters 147 and 272C which are necessary for the performance
22 of its duties.

23 c. Act on matters concerning licensure and the processes
24 of applying for, granting, suspending, imposing supervisory
25 or probationary conditions upon, reinstating, and revoking a
26 license.

27 d. Administer the provisions of this chapter requiring
28 documentation required to demonstrate competence as a midwife,
29 and the processing of applications for licenses and license
30 renewal.

31 e. Develop continuing education requirements as a condition
32 of license renewal.

33 f. Evaluate requirements for licensure in other states to
34 determine if reciprocity may be granted.

35 g. Establish and collect licensure fees as provided in

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1 section 147.80 and retain fees as provided in section 147.82.

2 *h.* Establish procedures for the issuance, renewal, and
3 revocation or suspension of a license under this chapter.

4 *i.* Maintain a registry of licensed midwives and statistics
5 on the practice of midwifery utilizing vital statistics data.

6 2. In developing rules, the board may consult with
7 persons knowledgeable regarding the prenatal and postpartum
8 birth process, particularly those possessing experience with
9 out-of-hospital births, including but not limited to persons
10 licensed under chapter 148, certified professional midwives,
11 advanced registered nurse practitioners who are certified nurse
12 midwives, and women who have given birth in an out-of-hospital
13 setting. In developing rules relating to the practice of
14 midwifery, the board shall reflect the knowledge and skills
15 identified by the North American registry of midwives' current
16 job description for the profession and the standards of
17 practice of midwifery established by the national association
18 of certified professional midwives or a successor organization.

19 3. Rules relating to the practice of midwifery shall be
20 consistent with the North American registry of midwives'
21 current job description for the profession and the standards
22 of practice of midwifery established by the national
23 association of certified professional midwives or a successor
24 organization, and shall not expand the scope of practice of
25 midwifery established by the national association of certified
26 professional midwives or a successor organization.

27 4. At such time as the board determines that liability
28 insurance is available at an affordable price to certified
29 professional midwives, the board may mandate such coverage.
30 Until that time, each midwife shall comply with the disclosure
31 requirements in section 148G.5.

32 Sec. 10. NEW SECTION. 148G.5 Client disclosure.

33 Prior to accepting a patient for midwifery care, a licensed
34 midwife shall provide information indicating all of the
35 following:

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1 1. Evidence that the care provider is a licensed midwife
2 meeting the requirements of this chapter.

3 2. Whether the licensed midwife has malpractice liability
4 insurance coverage and the policy limits of such coverage.

5 3. The midwife's educational background and relevant
6 experience, including experience in various birth settings.

7 4. The nature, scope, and location of the care to be
8 given, including the possibility of and the guidelines for
9 consultation, referral, or transfer of the patient to a
10 hospital from an out-of-hospital setting.

11 Sec. 11. NEW SECTION. 148G.6 **Exceptions.**

12 1. This chapter does not prevent qualified members of other
13 professions including but not limited to individuals licensed
14 under chapter 148 or 152 from providing services consistent
15 with the nature of the practice of midwifery.

16 2. This chapter does not prevent or prohibit a student
17 midwife from performing tasks related to the practice of
18 midwifery under the supervision of a licensed midwife, a
19 certified nurse midwife, or a licensed physician during
20 completion of the licensure process.

21 3. The practice of midwifery in this state prior to July
22 1, 2015, shall not constitute grounds for disciplinary action
23 by the board. The board may issue a license to a person who
24 has practiced midwifery in this state prior to that date upon
25 application and compliance with the provisions of this chapter
26 and the rules adopted pursuant to this chapter.

27 Sec. 12. NEW SECTION. 148G.7 **Prohibited practice.**

28 A person shall not practice midwifery, or represent that the
29 person is a midwife, unless the person is licensed as provided
30 in this chapter.

31 Sec. 13. NEW SECTION. 148G.8 **Requirements for licensure —**
32 **temporary license.**

33 Beginning July 1, 2015, an individual who does not meet the
34 requirements for licensure by examination pursuant to section
35 148G.2 may apply for a one-year temporary license as determined

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1 by the board in rules. Renewal of the temporary license shall
2 be determined by the board. The board may revoke a temporary
3 license if it determines that the temporary licensee has
4 violated standards established by rule.

5 Sec. 14. NEW SECTION. 148G.9 Limits on liability.

6 If a midwife does not have malpractice liability insurance,
7 a health care provider caring for a patient that has been
8 transferred to the health care provider's care from an
9 out-of-hospital setting shall be immune from liability for
10 treatment of the patient and the patient's child. Such
11 immunity shall not apply to acts or omissions constituting
12 gross negligence, recklessness, or intentional misconduct.
13 For purposes of this section, "health care provider" means
14 a physician or surgeon, osteopathic physician or surgeon,
15 physician assistant, or nurse licensed in this state, or a
16 hospital licensed pursuant to chapter 135B.

17 Sec. 15. Section 272C.1, subsection 6, Code 2014, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. *ag.* The board of midwifery, created pursuant
20 to chapter 147.

21 Sec. 16. Section 272C.4, subsection 6, Code 2014, is amended
22 to read as follows:

23 6. Define by rule acts or omissions that are grounds for
24 revocation or suspension of a license under section 100D.5,
25 105.22, 147.55, 148.6, 148B.7, 148G.4, 152.10, 153.34, 154A.24,
26 169.13, 455B.219, 542.10, 542B.21, 543B.29, 544A.13, 544B.15,
27 or 602.3203 or chapter 151 or 155, as applicable, and to define
28 by rule acts or omissions that constitute negligence, careless
29 acts, or omissions within the meaning of section 272C.3,
30 subsection 2, paragraph "b", which licensees are required to
31 report to the board pursuant to section 272C.9, subsection 2.

32 Sec. 17. INITIAL APPOINTMENTS.

33 1. Notwithstanding any provision to the contrary in this
34 Act, the initial midwife appointees to the board of midwifery
35 shall fulfill the national certification requirements of the

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1 North American registry of midwives.

2 2. One of the initial midwife appointments to the board
3 shall be appointed for a one-year term, one shall be appointed
4 for a two-year term, and one shall be appointed for a
5 three-year term. The members who are licensed under chapter
6 148 or 152 shall each be appointed for a two-year term, and the
7 members representing the general public shall each be appointed
8 to a three-year term.

9 Sec. 18. EFFECTIVE DATE. The following provision or
10 provisions of this Act take effect July 1, 2015:

11 1. The section of this Act amending section 147.2,
12 subsection 1.

13 2. The section of this Act enacting section 148G.7.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill creates new Code chapter 148G that provides for
18 the licensure of midwives beginning July 1, 2015. A midwife
19 is not an allopathic or osteopathic physician licensed under
20 Code chapter 148 or a nurse licensed under Code chapter
21 152 providing primary maternity care during the antepartum,
22 intrapartum, or postpartum period.

23 The bill provides for the establishment of a seven-member
24 board of midwifery consisting of three members who are
25 midwives, one physician, one nurse, and two members who
26 represent the general public. The bill provides for fees to
27 fund the board and provides penalties for violation of the
28 licensure requirement; those penalties are set out for all
29 health-related boards in Code chapters 147 and 272C. Code
30 section 147.86 provides that it is a serious misdemeanor to
31 violate a provision of the licensing laws.

32 The board is similar in composition and responsibilities to
33 other health-related licensing boards.

34 The bill provides that a health care provider caring for a
35 patient transferred from an out-of-hospital setting is immune

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1 from liability for that care, if the midwife does not have
2 malpractice liability insurance.
3 The provisions of the bill amending Code section 147.2 and
4 enacting Code section 148G.7, both prohibiting the practice of
5 midwifery without a license, take effect July 1, 2015.



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House Study Bill 588 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to the offenses of prostitution and pimping and
2 minors and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.2, subsection 6, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. r. Who is allowed, permitted, or encouraged
4 by an adult having influence or control of the child to engage
5 in acts prohibited pursuant to section 725.1.

6 Sec. 2. Section 725.1, Code 2014, is amended to read as
7 follows:

8 **725.1 Prostitution.**

9 1. A Except as provided in subsection 2, a person who sells
10 or offers for sale the person's services as a partner in a sex
11 act, or who purchases or offers to purchase such services,
12 commits an aggravated misdemeanor.

13 2. If the person who sells or offers for sale the person's
14 services as a partner in a sex act is under the age of eighteen
15 and reasonable grounds exist to believe that the influence
16 or control of an adult contributed to the commission of the
17 offense, the county attorney may elect, in lieu of prosecution,
18 to refer the person to the department of human services
19 alleging that the person is a child in need of assistance
20 pursuant to section 232.2, subsection 6.

21 Sec. 3. Section 725.2, Code 2014, is amended to read as
22 follows:

23 **725.2 Pimping.**

24 1. A person who solicits a patron for a prostitute, or who
25 knowingly takes or shares in the earnings of a prostitute, or
26 who knowingly furnishes a room or other place to be used for
27 the purpose of prostitution, whether for compensation or not,
28 commits a class "D" felony.

29 2. A person who solicits a patron for a prostitute who is
30 under the age of eighteen, or who knowingly takes or shares in
31 the earnings of a prostitute who is under the age of eighteen,
32 or who knowingly furnishes a room or other place to be used for
33 the purposes of prostitution of a prostitute who is under the
34 age of eighteen, whether for compensation or not, commits a
35 class "C" felony.



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1 EXPLANATION

2 The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

4 This bill relates to minors and the offenses of prostitution
5 and pimping and provides penalties.

6 Current law provides that a person who sells or offers for
7 sale the person's services as a partner in a sex act, or who
8 purchases or offers to purchase such services, commits an
9 aggravated misdemeanor under Code section 725.1 (prostitution).
10 The bill provides that if the person is under the age of 18
11 and reasonable grounds exist to believe that the influence
12 or control of an adult contributed to the commission of the
13 offense, the county attorney may elect, in lieu of prosecution,
14 to refer the person to the department of human services
15 alleging that the person is a child in need of assistance. The
16 bill makes a conforming change to the definition of "child in
17 need of assistance" under Code section 232.2, subsection 6.

18 Current law provides that a person who solicits a patron for
19 a prostitute, or who knowingly takes or shares in the earnings
20 of a prostitute, or who knowingly furnishes a room or other
21 place to be used for the purpose of prostitution, whether for
22 compensation or not, commits a class "D" felony under Code
23 section 725.2 (pimping). The bill provides that a person who
24 violates the law with respect to a prostitute who is under the
25 age of 18, commits a class "C" felony.

26 A class "C" felony is punishable by confinement for no more
27 than 10 years and a fine of at least \$1,000 but not more than
28 \$10,000. A person convicted of pimping in violation of Code
29 section 725.2 if the offense was committed against a minor or
30 otherwise involves a minor and if a determination is made that
31 the offense was sexually motivated pursuant to Code section
32 692A.126 is required to register as a tier I sex offender under
33 Code section 692A.102.



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House Study Bill 589 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BILL)

A BILL FOR

1 An Act relating to veterans and military service members and
2 including appropriations and retroactive applicability
3 provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 TITLE
3 Section 1. TITLE. This Act shall be known as the "Home Base
4 Iowa Act".

5 DIVISION II
6 RETIREMENT PAY TAX EXEMPTION
7 Sec. 2. Section 422.5, subsection 3, paragraph a, Code 2014,
8 is amended to read as follows:
9 a. The tax shall not be imposed on a resident or nonresident
10 whose net income, as defined in section 422.7, is thirteen
11 thousand five hundred dollars or less in the case of married
12 persons filing jointly or filing separately on a combined
13 return, heads of household, and surviving spouses or nine
14 thousand dollars or less in the case of all other persons;
15 but in the event that the payment of tax under this division
16 would reduce the net income to less than thirteen thousand five
17 hundred dollars or nine thousand dollars as applicable, then
18 the tax shall be reduced to that amount which would result
19 in allowing the taxpayer to retain a net income of thirteen
20 thousand five hundred dollars or nine thousand dollars as
21 applicable. The preceding sentence does not apply to estates
22 or trusts. For the purpose of this subsection, the entire net
23 income, including any part of the net income not allocated
24 to Iowa, shall be taken into account. For purposes of this
25 subsection, net income includes all amounts of pensions or
26 other retirement income, except for military retirement pay
27 excluded under section 422.7, subsection 31A, paragraph "a",
28 received from any source which is not taxable under this
29 division as a result of the government pension exclusions in
30 section 422.7, or any other state law. If the combined net
31 income of a husband and wife exceeds thirteen thousand five
32 hundred dollars, neither of them shall receive the benefit
33 of this subsection, and it is immaterial whether they file a
34 joint return or separate returns. However, if a husband and
35 wife file separate returns and have a combined net income of



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1 thirteen thousand five hundred dollars or less, neither spouse
2 shall receive the benefit of this paragraph, if one spouse has
3 a net operating loss and elects to carry back or carry forward
4 the loss as provided in section 422.9, subsection 3. A person
5 who is claimed as a dependent by another person as defined in
6 section 422.12 shall not receive the benefit of this subsection
7 if the person claiming the dependent has net income exceeding
8 thirteen thousand five hundred dollars or nine thousand dollars
9 as applicable or the person claiming the dependent and the
10 person's spouse have combined net income exceeding thirteen
11 thousand five hundred dollars or nine thousand dollars as
12 applicable.

13 Sec. 3. Section 422.5, subsection 3B, paragraph a, Code
14 2014, is amended to read as follows:

15 a. The tax shall not be imposed on a resident or nonresident
16 who is at least sixty-five years old on December 31 of
17 the tax year and whose net income, as defined in section
18 422.7, is thirty-two thousand dollars or less in the case
19 of married persons filing jointly or filing separately on a
20 combined return, heads of household, and surviving spouses or
21 twenty-four thousand dollars or less in the case of all other
22 persons; but in the event that the payment of tax under this
23 division would reduce the net income to less than thirty-two
24 thousand dollars or twenty-four thousand dollars as applicable,
25 then the tax shall be reduced to that amount which would result
26 in allowing the taxpayer to retain a net income of thirty-two
27 thousand dollars or twenty-four thousand dollars as applicable.
28 The preceding sentence does not apply to estates or trusts.
29 For the purpose of this subsection, the entire net income,
30 including any part of the net income not allocated to Iowa,
31 shall be taken into account. For purposes of this subsection,
32 net income includes all amounts of pensions or other retirement
33 income, except for military retirement pay excluded under
34 section 422.7, subsection 31A, paragraph "a", received from any
35 source which is not taxable under this division as a result



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1 of the government pension exclusions in section 422.7, or any
2 other state law. If the combined net income of a husband and
3 wife exceeds thirty-two thousand dollars, neither of them shall
4 receive the benefit of this subsection, and it is immaterial
5 whether they file a joint return or separate returns. However,
6 if a husband and wife file separate returns and have a combined
7 net income of thirty-two thousand dollars or less, neither
8 spouse shall receive the benefit of this paragraph, if one
9 spouse has a net operating loss and elects to carry back or
10 carry forward the loss as provided in section 422.9, subsection
11 3. A person who is claimed as a dependent by another person as
12 defined in section 422.12 shall not receive the benefit of this
13 subsection if the person claiming the dependent has net income
14 exceeding thirty-two thousand dollars or twenty-four thousand
15 dollars as applicable or the person claiming the dependent
16 and the person's spouse have combined net income exceeding
17 thirty-two thousand dollars or twenty-four thousand dollars as
18 applicable.

19 Sec. 4. Section 422.7, Code 2014, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 31A. a. Subtract, to the extent included,
22 retirement pay received by a resident taxpayer from the federal
23 government for military service performed in the armed forces,
24 the armed forces military reserve, or the national guard.

25 b. The exclusion of retirement pay under this subsection is
26 in addition to any exclusion provided under subsection 31.

27 Sec. 5. RETROACTIVE APPLICABILITY. This division of this
28 Act applies retroactively to January 1, 2014, for tax years
29 beginning on or after that date.

30 DIVISION III

31 HOME OWNERSHIP ASSISTANCE PROGRAM APPROPRIATIONS

32 Sec. 6. 2013 Iowa Acts, chapter 138, section 134, subsection
33 3, is amended to read as follows:

34 3. HOME OWNERSHIP ASSISTANCE PROGRAM

35 For transfer to the Iowa finance authority for the

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1 continuation of the home ownership assistance program for
2 persons who are or were eligible members of the armed forces of
3 the United States, pursuant to section 16.54:

4 \$ 800,000
5 2,500,000

6 DIVISION IV
7 VETERANS PREFERENCE

8 Sec. 7. NEW SECTION. 35.3 Veterans preference in private
9 employment permitted.

10 1. A private employer may grant preference in hiring and
11 promotion to an individual who is a veteran.

12 2. a. A private employer may grant preference in hiring
13 and promotion to the spouse of a veteran who has sustained
14 a permanent, compensable service-connected disability as
15 adjudicated by the United States veterans administration or by
16 the retirement board of one of the armed forces of the United
17 States.

18 b. A private employer may grant preference in hiring and
19 promotion to the surviving spouse of a deceased member of the
20 United States armed forces who died while serving on active
21 duty during a time of military conflict or who died as a result
22 of such service.

23 3. Granting a hiring or promotion preference under this
24 section does not violate any state law or local ordinance
25 regarding equal employment opportunity, including but not
26 limited to chapter 216.

27 4. The hiring and promotion preferences allowable
28 under this section shall only be granted if consistent with
29 applicable federal laws and regulations.

30 DIVISION V
31 LICENSED PROFESSIONS AND OCCUPATIONS

32 Sec. 8. Section 272C.4, Code 2014, is amended by adding the
33 following new subsections:

34 NEW SUBSECTION. 11. Adopt rules by January 1, 2015, to
35 provide credit towards qualifications for licensure to practice



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1 an occupation or profession in this state for education,
2 training, and service obtained or completed by an individual
3 while serving honorably on federal active duty, state active
4 duty, or national guard duty, as defined in section 29A.1,
5 to the extent consistent with the qualifications required
6 by the appropriate licensing board. The rules shall also
7 provide credit towards qualifications for initial licensure
8 for education, training, or service obtained or completed by
9 an individual while serving honorably in the military forces
10 of another state or the organized reserves of the armed
11 forces of the United States, to the extent consistent with the
12 qualifications required by the appropriate licensing board.
13 NEW SUBSECTION. 12. Establish procedures by January
14 1, 2015, to expedite the licensing of an individual who is
15 licensed in a similar profession or occupation in another state
16 and who is a veteran, as defined in section 35.1, or the spouse
17 of a veteran.
18 a. If the board determines that the professional or
19 occupational licensing requirements of the state where the
20 veteran or veteran's spouse is licensed are substantially
21 equivalent to the licensing requirements of this state, the
22 procedures shall require the licensing of the veteran or the
23 veteran's spouse in this state.
24 b. If the board determines that the professional or
25 occupational licensing requirements of the state where the
26 veteran or veteran's spouse is licensed are not substantially
27 equivalent to the professional or occupational licensing
28 requirements of this state, the procedures shall allow the
29 provisional licensing of the veteran or veteran's spouse for
30 a period of time deemed necessary by the board to obtain a
31 substantial equivalent to the licensing requirements of this
32 state. The board shall advise the veteran or the veteran's
33 spouse of required education or training necessary to obtain
34 a substantial equivalent to the professional or occupational
35 licensing requirements of this state, and the procedures shall



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1 provide for licensing of an individual who has, pursuant to
2 this paragraph, obtained a substantial equivalent to the
3 professional or occupational licensing requirements of this
4 state.

5 NEW SUBSECTION. 13. Beginning December 15, 2016, annually
6 file a report with the governor and the general assembly
7 providing information and statistics on credit received by
8 individuals for education, training, and service pursuant to
9 subsection 11 and information and statistics on licenses and
10 provisional licenses issued pursuant to subsection 12.

11 NEW SUBSECTION. 14. Notwithstanding the designation
12 of the licensing boards in section 272C.1, the provisions
13 of subsections 11 through 13 shall apply to all of the
14 occupational and professional licensing boards of this state.

15 Sec. 9. REPORT. Each licensing board under this division
16 shall file a report with the governor and the general assembly
17 by January 31, 2015, on the substance of rules and procedures
18 adopted to implement the provisions of this division of this
19 Act.

20 DIVISION VI

21 EDUCATION

22 Sec. 10. Section 260C.14, Code 2014, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 24. a. Beginning December 15, 2015,
25 annually file a report with the governor and the general
26 assembly providing information and statistics for the previous
27 five academic years on the number of students who are veterans
28 per year who received education credit for military education,
29 training, and service, that number as a percentage of veterans
30 known to be enrolled at the college, the average number of
31 credits received by students, and the average number of credits
32 applied towards the award of a certificate, competency-based
33 credential, postsecondary diploma, or associate degree.

34 b. For purposes of this subsection, "veteran" means a
35 veteran as defined in section 35.1.

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1 Sec. 11. Section 262.9, Code 2014, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 38. *a.* Beginning December 15, 2015,
4 annually file a report with the governor and the general
5 assembly providing information and statistics for the previous
6 five academic years on the number of students who are veterans
7 per year who received education credit for military education,
8 training, and service, that number as a percentage of veterans
9 known to be enrolled at the institution, the average number
10 of credits received by students, and the average number of
11 credits applied towards the award or completion of a course of
12 instruction, postsecondary diploma, degree, or other evidences
13 of distinction.

14 *b.* For purposes of this subsection, "veteran" means a
15 veteran as defined in section 35.1.

16 DIVISION VII

17 LICENSE PLATES

18 Sec. 12. Section 35A.11, Code 2014, is amended to read as
19 follows:

20 **35A.11 Veterans license fee fund.**

21 1. A veterans license fee fund is created in the state
22 treasury under the control of the commission. Notwithstanding
23 section 12C.7, interest or earnings on moneys in the veterans
24 license fee fund shall be credited to the veterans license fee
25 fund. Moneys in the fund are appropriated to the commission to
26 be used to fulfill the responsibilities of the commission.

27 2. The fund created in this section shall include the
28 fees credited by the treasurer of state from the ~~sale~~ annual
29 validation of the following special motor vehicle registration
30 plates:

31 ~~1. Veteran special plates issued pursuant to section~~
32 ~~321.34, subsection 13, paragraph "d".~~

33 ~~2.~~ a. National guard special plates issued pursuant to
34 section 321.34, subsection 16.

35 ~~3.~~ b. Pearl Harbor special plates issued pursuant to

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1 section 321.34, subsection 17.
2 ~~4.~~ c. Purple heart special plates issued pursuant to
3 section 321.34, subsection 18.
4 ~~5.~~ d. United States armed forces retired special plates
5 issued pursuant to section 321.34, subsection 19.
6 ~~6.~~ e. Silver star and bronze star special plates issued
7 pursuant to section 321.34, subsection 20.
8 ~~7.~~ f. Distinguished service cross, navy cross, and air
9 force cross special plates issued pursuant to section 321.34,
10 subsection 20A.
11 ~~8.~~ g. Soldier's medal, navy and marine corps medal, and
12 airman's medal special plates issued pursuant to section
13 321.34, subsection 20B.
14 ~~9.~~ h. Combat infantryman badge, combat action badge,
15 combat action ribbon, air force combat action medal, and
16 combat medical badge plates issued pursuant to section 321.34,
17 subsection 20C.
18 ~~10.~~ i. Gold star special plates issued pursuant to section
19 321.34, subsection 24.
20 j. United States veteran special plates issued pursuant to
21 section 321.34, subsection 27.
22 Sec. 13. Section 321.34, subsection 16, paragraph a, Code
23 2014, is amended to read as follows:
24 a. An owner referred to in subsection 12 who is a member
25 of the national guard, as defined in chapter 29A, may,
26 upon written application to the department, order special
27 registration plates with a national guard processed emblem
28 with the emblem designed by the department in cooperation with
29 the adjutant general which emblem signifies that the applicant
30 is a member of the national guard. The application shall be
31 approved by the department in consultation with the adjutant
32 general. The special plate fees collected by the director
33 under subsection 12, ~~paragraphs paragraph "a" and "c",~~ from
34 the ~~issuance and~~ annual validation of letter-number designated
35 national guard plates, and subsection 12, paragraph "c", from



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1 the issuance and annual validation of personalized national
2 guard plates shall be paid monthly to the treasurer of state
3 and deposited in the road use tax fund. The treasurer of state
4 shall transfer monthly from the statutory allocations fund
5 created under section 321.145, subsection 2, to the veterans
6 license fee fund created in section 35A.11 the amount of the
7 special fees collected under subsection 12, paragraph "a",
8 in the previous month for national guard plates. Special
9 registration plates with a national guard processed emblem
10 shall be surrendered, as provided in subsection 12, in exchange
11 for regular registration plates upon termination of the owner's
12 membership in the active national guard.

13 Sec. 14. Section 321.34, subsection 16, Code 2014, is
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. *Ob.* Notwithstanding subsection 12, paragraph
16 "a", an owner who is approved for special registration plates
17 under this subsection shall be issued one set of special
18 registration plates with a national guard processed emblem at
19 no charge.

20 Sec. 15. Section 321.34, subsection 17, paragraph a, Code
21 2014, is amended to read as follows:

22 *a.* An owner referred to in subsection 12 who was at Pearl
23 Harbor, Hawaii, as a member of the armed services of the United
24 States on December 7, 1941, may, upon written application to
25 the department, order special registration plates with a Pearl
26 Harbor processed emblem. The emblem shall be designed by the
27 department in consultation with service organizations. The
28 application is subject to approval by the department. The
29 special plate fees collected by the director under subsection
30 12, paragraphs paragraph "a" and "c", from the issuance and
31 annual validation of letter-number designated Pearl Harbor
32 plates, and subsection 12, paragraph "c", from the issuance and
33 annual validation of personalized Pearl Harbor plates shall
34 be paid monthly to the treasurer of state and deposited in
35 the road use tax fund. The treasurer of state shall transfer



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1 monthly from the statutory allocations fund created under
2 section 321.145, subsection 2, to the veterans license fee
3 fund created in section 35A.11 the amount of the special fees
4 collected under subsection 12, paragraph "a", in the previous
5 month for Pearl Harbor plates.

6 Sec. 16. Section 321.34, subsection 17, Code 2014, is
7 amended by adding the following new paragraph:

8 NEW PARAGRAPH. *Ob.* Notwithstanding subsection 12, paragraph
9 "a", an owner who is approved for special registration plates
10 under this subsection shall be issued one set of special
11 registration plates with a Pearl Harbor processed emblem at no
12 charge.

13 Sec. 17. Section 321.34, subsection 18, paragraph a, Code
14 2014, is amended to read as follows:

15 *a.* An owner referred to in subsection 12 who was awarded
16 a purple heart medal by the United States government for
17 wounds received in military or naval combat against an armed
18 enemy of the United States may, upon written application to
19 the department and presentation of satisfactory proof of the
20 award of the purple heart medal, order special registration
21 plates with a purple heart processed emblem. The design of
22 the emblem shall include a representation of a purple heart
23 medal and ribbon. The application is subject to approval by
24 the department in consultation with the adjutant general. The
25 special plate fees collected by the director under subsection
26 12, ~~paragraphs paragraph "a" and "c", from the issuance and~~
27 annual validation of letter-number designated purple heart
28 plates, and subsection 12, paragraph "c", from the issuance and
29 annual validation of personalized purple heart plates shall
30 be paid monthly to the treasurer of state and deposited in
31 the road use tax fund. The treasurer of state shall transfer
32 monthly from the statutory allocations fund created under
33 section 321.145, subsection 2, to the veterans license fee
34 fund created in section 35A.11 the amount of the special fees
35 collected under subsection 12, paragraph "a", in the previous

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1 month for purple heart plates.

2 Sec. 18. Section 321.34, subsection 18, Code 2014, is
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. *Ob.* Notwithstanding subsection 12, paragraph
5 "a", an owner who is approved for special registration plates
6 under this subsection shall be issued one set of special
7 registration plates with a purple heart processed emblem at no
8 charge.

9 Sec. 19. Section 321.34, subsection 19, paragraph a, Code
10 2014, is amended to read as follows:

11 *a.* An owner referred to in subsection 12 who is a retired
12 member of the United States armed forces may, upon written
13 application to the department and upon presentation of
14 satisfactory proof of membership, order special registration
15 plates with a United States armed forces retired processed
16 emblem. The emblem shall be designed by the department in
17 consultation with service organizations. The application is
18 subject to approval by the department. For purposes of this
19 subsection, a person is considered to be retired if the person
20 is recognized by the United States armed forces as retired
21 from the United States armed forces. The special plate fees
22 collected by the director under subsection 12, ~~paragraphs~~
23 paragraph "a" and "c", from the ~~issuance and~~ annual validation
24 of letter-number designated armed forces retired plates, and
25 subsection 12, paragraph "c", from the issuance and annual
26 validation of personalized armed forces retired plates shall
27 be paid monthly to the treasurer of state and deposited in
28 the road use tax fund. The treasurer of state shall transfer
29 monthly from the statutory allocations fund created under
30 section 321.145, subsection 2, to the veterans license fee
31 fund created in section 35A.11 the amount of the special fees
32 collected under subsection 12, paragraph "a", in the previous
33 month for armed forces retired plates.

34 Sec. 20. Section 321.34, subsection 19, Code 2014, is
35 amended by adding the following new paragraph:

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1 NEW PARAGRAPH. *Ob.* Notwithstanding subsection 12, paragraph
2 `a`, an owner who is approved for special registration plates
3 under this subsection shall be issued one set of special
4 registration plates with an armed forces retired processed
5 emblem at no charge.

6 Sec. 21. Section 321.34, subsection 20, paragraph a, Code
7 2014, is amended to read as follows:

8 *a.* An owner referred to in subsection 12 who was awarded a
9 silver or a bronze star by the United States government, may,
10 upon written application to the department and presentation
11 of satisfactory proof of the award of the silver or bronze
12 star, order special registration plates with a silver or bronze
13 star processed emblem. The emblem shall be designed by the
14 department in consultation with the adjutant general. The
15 special plate fees collected by the director under subsection
16 12, ~~paragraphs paragraph~~ `a` and `~~c~~`, from the ~~issuance and~~
17 annual validation of letter-number designated silver star and
18 bronze star plates, and subsection 12, paragraph `c`, from the
19 issuance and annual validation of personalized silver star and
20 bronze star plates shall be paid monthly to the treasurer of
21 state and deposited in the road use tax fund. The treasurer
22 of state shall transfer monthly from the statutory allocations
23 fund created under section 321.145, subsection 2, to the
24 veterans license fee fund created in section 35A.11 the amount
25 of the special fees collected under subsection 12, paragraph
26 `a`, in the previous month for silver star and bronze star
27 plates.

28 Sec. 22. Section 321.34, subsection 20, Code 2014, is
29 amended by adding the following new paragraph:

30 NEW PARAGRAPH. *Ob.* Notwithstanding subsection 12, paragraph
31 `a`, an owner who is approved for special registration plates
32 under this subsection shall be issued one set of special
33 registration plates with a silver star or bronze star processed
34 emblem at no charge.

35 Sec. 23. Section 321.34, subsection 20A, paragraph a, Code

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1 2014, is amended to read as follows:

2 a. An owner referred to in subsection 12 who was awarded
3 a distinguished service cross, a navy cross, or an air force
4 cross by the United States government may, upon written
5 application to the department and presentation of satisfactory
6 proof of the award, order special registration plates with
7 a distinguished service cross, navy cross, or air force
8 cross processed emblem. The emblem shall be designed by the
9 department in consultation with the adjutant general. The
10 special plate fees collected by the director under subsection
11 12, ~~paragraphs paragraph~~ "a" and "c", from the ~~issuance and~~
12 annual validation of letter-number designated distinguished
13 service cross, navy cross, and air force cross plates, and
14 subsection 12, paragraph "c", from the issuance and annual
15 validation of personalized distinguished service cross, navy
16 cross, and air force cross plates shall be paid monthly to the
17 treasurer of state and deposited in the road use tax fund. The
18 treasurer of state shall transfer monthly from the statutory
19 allocations fund created under section 321.145, subsection 2,
20 to the veterans license fee fund created in section 35A.11
21 the amount of the special fees collected under subsection 12,
22 paragraph "a", in the previous month for distinguished service
23 cross, navy cross, and air force cross plates.

24 Sec. 24. Section 321.34, subsection 20A, Code 2014, is
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. 0b. Notwithstanding subsection 12, paragraph
27 "a", an owner who is approved for special registration plates
28 under this subsection shall be issued one set of special
29 registration plates with a distinguished service cross, navy
30 cross, or air force cross processed emblem at no charge.

31 Sec. 25. Section 321.34, subsection 20B, paragraph a, Code
32 2014, is amended to read as follows:

33 a. An owner referred to in subsection 12 who was awarded a
34 soldier's medal, a navy and marine corps medal, or an airman's
35 medal by the United States government may, upon written

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1 application to the department and presentation of satisfactory
2 proof of the award, order special registration plates with
3 a soldier's medal, navy and marine corps medal, or airman's
4 medal processed emblem. The emblem shall be designed by the
5 department in consultation with the adjutant general. The
6 special plate fees collected by the director under subsection
7 12, ~~paragraphs paragraph~~ "a" and "c", from the issuance and
8 annual validation of letter-number designated soldier's medal,
9 navy and marine corps medal, and airman's medal plates, and
10 subsection 12, paragraph "c", from the issuance and annual
11 validation of personalized soldier's medal, navy and marine
12 corps medal, and airman's medal plates shall be paid monthly
13 to the treasurer of state and deposited in the road use tax
14 fund. The treasurer of state shall transfer monthly from the
15 statutory allocations fund created under section 321.145,
16 subsection 2, to the veterans license fee fund created in
17 section 35A.11 the amount of the special fees collected
18 under subsection 12, paragraph "a", in the previous month for
19 soldier's medal, navy and marine corps medal, and airman's
20 medal plates.

21 Sec. 26. Section 321.34, subsection 20B, Code 2014, is
22 amended by adding the following new paragraph:

23 NEW PARAGRAPH. 0b. Notwithstanding subsection 12, paragraph
24 "a", an owner who is approved for special registration plates
25 under this subsection shall be issued one set of special
26 registration plates with a soldier's medal, navy and marine
27 corps medal, or airman's medal processed emblem at no charge.

28 Sec. 27. Section 321.34, subsection 20C, paragraph b, Code
29 2014, is amended to read as follows:

30 b. An owner referred to in subsection 12 who was awarded a
31 combat infantryman badge, combat action badge, combat action
32 ribbon, air force combat action medal, or combat medical
33 badge by the United States government may, upon written
34 application to the department and presentation of satisfactory
35 proof of the award, order special registration plates with a

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1 combat infantryman badge, combat action badge, combat action
2 ribbon, air force combat action medal, or combat medical badge
3 processed emblem. The special plate fees collected by the
4 director under subsection 12, ~~paragraphs~~ paragraph "a" and
5 "c", from the issuance and annual validation of letter-number
6 designated combat infantryman badge, combat action badge,
7 combat action ribbon, air force combat action medal, and
8 combat medical badge plates, and subsection 12, paragraph
9 "c", from the issuance and annual validation of personalized
10 combat infantryman badge, combat action badge, combat action
11 ribbon, air force combat action medal, and combat medical badge
12 plates shall be paid monthly to the treasurer of state and
13 deposited in the road use tax fund. The treasurer of state
14 shall transfer monthly from the statutory allocations fund
15 created under section 321.145, subsection 2, to the veterans
16 license fee fund created in section 35A.11 the amount of the
17 special fees collected under subsection 12, paragraph "a", in
18 the previous month for combat infantryman badge, combat action
19 badge, combat action ribbon, air force combat action medal, and
20 combat medical badge plates.

21 Sec. 28. Section 321.34, subsection 20C, Code 2014, is
22 amended by adding the following new paragraph:

23 NEW PARAGRAPH. *0c.* Notwithstanding subsection 12, paragraph
24 "a", an owner who is approved for special registration plates
25 under this subsection shall be issued one set of special
26 registration plates with a combat infantryman badge, combat
27 action badge, combat action ribbon, air force combat action
28 medal, and combat medical badge distinguishing processed emblem
29 at no charge.

30 Sec. 29. Section 321.34, subsection 24, Code 2014, is
31 amended to read as follows:

32 24. *Gold star plates.*

33 a. An owner referred to in subsection 12 who is the
34 surviving spouse, parent, child, or sibling of a deceased
35 member of the United States armed forces who died while serving

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1 on active duty during a time of military conflict or who died
2 as a result of such service may order special registration
3 plates bearing a gold star emblem upon written application
4 to the department accompanied by satisfactory supporting
5 documentation as determined by the department. The gold star
6 emblem shall be designed by the department in cooperation with
7 the commission of veterans affairs. The special plate fees
8 collected by the director under subsection 12, ~~paragraphs~~
9 paragraph "a" and "c", from the issuance and annual validation
10 of letter-number designated gold star plates, and subsection
11 12, paragraph "c", from the issuance and annual validation of
12 personalized gold star plates shall be paid monthly to the
13 treasurer of state and deposited in the road use tax fund. The
14 treasurer of state shall transfer monthly from the statutory
15 allocations fund created under section 321.145, subsection 2,
16 to the veterans license fee fund created in section 35A.11
17 the amount of the special fees collected under subsection 12,
18 paragraph "a", in the previous month for gold star plates.
19 b. Notwithstanding subsection 12, paragraph "a", an owner
20 who is approved for special registration plates under this
21 subsection shall be issued one set of special registration
22 plates bearing a gold star emblem at no charge.

23 Sec. 30. Section 321.34, Code 2014, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 27. *United States veteran plates.*

26 a. An owner referred to in subsection 12 who served in the
27 armed forces of the United States and was discharged under
28 honorable conditions may, upon written application to the
29 department and upon presentation of satisfactory proof of
30 military service and discharge under honorable conditions,
31 order special registration plates bearing a distinguishing
32 processed emblem depicting the word "veteran" below an image
33 of the American flag. The application is subject to approval
34 by the department. The special plate fees collected by the
35 director under subsection 12, paragraph "a", from the annual

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1 validation of letter-number designated United States veteran
2 plates, and subsection 12, paragraph "c", from the issuance
3 and annual validation of personalized United States veteran
4 plates, shall be paid monthly to the treasurer of state and
5 deposited in the road use tax fund. The treasurer of state
6 shall transfer monthly from the statutory allocations fund
7 created under section 321.145, subsection 2, to the veterans
8 license fee fund created in section 35A.11 the amount of the
9 special fees collected under subsection 12, paragraph "a", in
10 the previous month for United States veteran plates.

11 b. Notwithstanding subsection 12, paragraph "a", an owner
12 who is approved for a special registration plate under this
13 subsection shall be issued one set of special registration
14 plates bearing a distinguishing processed emblem depicting
15 the word "veteran" below an image of the American flag at no
16 charge.

17 DIVISION VIII

18 IOWA WORKFORCE DEVELOPMENT APPROPRIATIONS

19 Sec. 31. APPROPRIATIONS.

20 1. There is appropriated from the general fund of the state
21 to the department of workforce development for the fiscal year
22 beginning July 1, 2014, and ending June 30, 2015, the following
23 amount, or so much thereof as is necessary, to be used for the
24 purposes designated:

25 For funding research linking military occupational
26 education, training, and service to existing licensing
27 requirements in this state, for funding implementation of
28 this Act, and for meeting additional demand for workforce
29 development services provided to veterans:

30 \$ 1,000,000

31 2. There is appropriated from the general fund of the state
32 to the department of workforce development for the fiscal year
33 beginning July 1, 2014, and ending June 30, 2015, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purposes designated:

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1 For awarding a grant, in the amount appropriated, to a
2 nonprofit workforce services foundation exempt from federal
3 taxation under section 501(c)(3) of the Internal Revenue
4 Code that is administered by an agency of this state for the
5 purposes of paying for the direct expenses of marketing this
6 state to veterans through public-private partnerships:
7 \$ 1,000,000

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill enacts the "Home Base Iowa Act", which relates to
12 veterans and military service members by exempting military
13 service retirement pay for certain purposes of the state
14 individual income tax, providing appropriations for the home
15 ownership assistance program for military members, permitting
16 private employers to grant certain employment preferences to
17 veterans and certain spouses of veterans and service members,
18 relating to professional licensure, requiring reporting on the
19 provision of certain educational credits, and relating to fees
20 charged for license plates associated with military service.

21 Division I of the bill states that the Act is to be known as
22 the "Home Base Iowa Act".

23 Division II of the bill exempts from the individual income
24 tax all retirement pay of an Iowa resident from federal
25 military service in the armed forces, the military reserve,
26 or the national guard. The exemption is in addition to the
27 general pension exclusion. The bill also exempts military
28 retirement pay from the net income calculations used to
29 determine certain personal income tax filing thresholds.

30 The division applies retroactively to January 1, 2014, for
31 tax years beginning on or after that date.

32 Division III of the bill increases the fiscal year 2014-2015
33 appropriation for the home ownership assistance program for
34 military members from \$800,000 to \$2.5 million.

35 Division IV allows private employers to grant a preference

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1 in hiring and promotion to veterans and certain veterans'
2 spouses.

3 Division IV specifically permits private employers to
4 grant a preference in hiring and promotion to veterans, as
5 defined in the Iowa department of veterans affairs law, and
6 as far as is consistent with federal laws and regulations.
7 Private employers are also allowed to grant such preferences
8 to the spouse of a veteran who has sustained a permanent,
9 compensable service-connected disability as adjudicated by the
10 United States veterans administration or by the retirement
11 board of one of the armed forces of the United States. These
12 employers may also grant hiring and promotion preferences
13 to the surviving spouse of a deceased member of the United
14 States armed forces who died while serving on active duty
15 during a time of military conflict or who died as a result of
16 such service. The division states that hiring and promotion
17 preferences granted by private employers do not violate
18 any state law or local ordinance regarding equal employment
19 opportunity.

20 Division V of the bill amends Code section 272C.4 to require
21 that all professional and occupational licensing boards adopt
22 rules by January 1, 2015, to provide credit towards licensing
23 for education, training, and service that is either obtained
24 or completed by an individual while serving on federal active
25 duty, state active duty, or national guard duty. The division
26 further requires that the rules provide such credit toward
27 licensure for service in the military forces of other states
28 or the organized reserves of the armed forces of the United
29 States. Code section 272C.1 provides that the term "licensing"
30 and its derivations include the terms "registration" and
31 "certification" and their derivations.

32 Division V of the bill also requires that licensing boards
33 establish procedures to expedite the licensing in this state of
34 certain individuals who are licensed to practice in a similar
35 profession or occupation in another state if the individual



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1 is a veteran or the spouse of a veteran and if the board
2 determines that the licensing requirements of the other state
3 are substantially equivalent to the licensing requirements
4 of this state. The division also requires that if the board
5 determines that another state's licensing requirements are
6 not substantially equivalent to the licensing requirements of
7 this state, the board shall issue a provisional license to
8 the qualifying veteran or the qualifying spouse of a veteran
9 for a period of time deemed necessary to obtain a substantial
10 equivalent to the licensing requirements of this state.

11 Division V requires that licensing boards provide a report
12 to the governor and to the general assembly by December 15,
13 2016, on the awarding of credits for qualifying education,
14 training, and service and on licensing and provisional
15 licensing awarded under the division.

16 Division V requires that each licensing board report to the
17 governor and the general assembly by January 31, 2015, on the
18 substance of the rules and procedures adopted to carry out the
19 provisions of the division.

20 Division VI of the bill requires that the board of
21 directors of each community college file an annual report,
22 beginning December 15, 2015, with the governor and the general
23 assembly, including certain statistics relating to the award
24 of educational credits to veterans for military education,
25 training, and experience for the prior five academic years.

26 Division VI also requires that the board of regents file an
27 annual report, beginning December 15, 2015, with the governor
28 and the general assembly, including certain statistics relating
29 to the award of educational credits to veterans for military
30 education, training, and service for the prior five academic
31 years.

32 Division VII of the bill eliminates the special plate
33 issuance fees charged for issuance of certain special motor
34 vehicle registration plates associated with military service
35 which are established statutorily. The affected plates are

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1 national guard plates; Pearl Harbor plates; purple heart
2 plates; United States armed forces retired plates; silver star
3 and bronze star plates; distinguished service cross, navy
4 cross, and air force cross special plates; soldier's medal,
5 navy and marine corps medal, and airman's medal special plates;
6 and gold star plates. The division also eliminates special
7 plate issuance fees for United States veteran plates which were
8 established by the department of transportation, in cooperation
9 with the commission of veterans affairs, by administrative
10 process. Under current law, the fee for issuance of the
11 special plates is \$25. The issuance fee for United States
12 veteran plates is \$35. The division maintains transfers to
13 the veterans license fee fund from the annual validation fees
14 for these special plates. The division adds the United States
15 armed forces veteran plate, which is currently established
16 administratively, to the list of special motor vehicle
17 registration plates established in Code section 321.34. The
18 division also makes additional corresponding changes.

19 Division VIII provides an appropriation of \$1 million from
20 the general fund of the state to the department of workforce
21 development to fund research linking military occupational
22 education, training, and service to existing licensing
23 requirements in this state, to fund implementation of the bill,
24 and to support additional demand for workforce development
25 services to be provided to veterans. The division also
26 provides a \$1 million appropriation from the general fund to
27 the department of workforce development to be used to provide
28 a grant, in that amount, to a nonprofit workforce services
29 organization administered by an agency of this state for the
30 purposes of paying for the direct expenses of marketing this
31 state to veterans.



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Senate File 2080 - Introduced

SENATE FILE 2080
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 3007)

A BILL FOR

1 An Act relating to exchanging information contained in the Iowa
2 information program for drug prescribing and dispensing.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5270SV (1) 85
jm/nh



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S.F. 2080

1 Section 1. Section 124.553, subsection 1, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *d.* A prescription database or monitoring
4 program in another jurisdiction pursuant to subsection 8.
5 Sec. 2. Section 124.553, Code 2014, is amended by adding the
6 following new subsection:
7 NEW SUBSECTION. 8. The board may enter into an agreement
8 with a prescription database or monitoring program operated
9 in a state bordering this state or in the state of Kansas for
10 the mutual exchange of information. Any agreement entered
11 into pursuant to this subsection shall specify that all the
12 information exchanged pursuant to the agreement shall be used
13 and disseminated in accordance with the laws of this state.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to exchanging information contained in the
18 Iowa information program for drug prescribing and dispensing
19 (Iowa prescription monitoring program).

20 The bill permits the board of pharmacy to enter into an
21 agreement with a prescription database or monitoring program
22 operated in a state bordering this state or in the state of
23 Kansas for the mutual exchange of information. Any agreement
24 entered into pursuant to the bill shall specify that all
25 the information exchanged shall be used and disseminated in
26 accordance with the laws of this state.



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Senate File 2081 - Introduced

SENATE FILE 2081
BY HATCH

A BILL FOR

1 An Act relating to exception to policy provisions for Medicaid
2 home and community-based services waivers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5323XS (5) 85
pf/nh



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S.F. 2081

1 Section 1. MEDICAID HOME AND COMMUNITY-BASED SERVICES
2 WAIVERS — EXCEPTION TO POLICY PROVISIONS. The department
3 of human services shall adopt rules pursuant to chapter 17A
4 specifying that an individual who is a recipient of home and
5 community-based services waiver services based on an exception
6 to policy shall continue to be eligible for and receive the
7 services granted through the exception to policy request
8 beyond the period specified in the exception to policy, if,
9 at the time of review of the exception to policy and in lieu
10 of submitting a new request, the individual's primary health
11 care provider submits a confirmation to the department of human
12 services stating that there is little or no probability that
13 the individual's status upon which the existing exception to
14 policy was granted will significantly change in the period
15 until the next review.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill directs the department of human services to adopt
20 rules specifying that an individual who is a recipient of
21 home and community-based services waiver services based on
22 an exception to policy shall continue to be eligible for and
23 receive the services granted through the exception to policy
24 request beyond the period specified in the exception to policy,
25 if, at the time of review of the exception to policy and in lieu
26 of submitting a new request, the individual's primary health
27 care provider submits a confirmation to the department of human
28 services stating that there is little or no probability that
29 the individual's status upon which the existing exception to
30 policy was granted will significantly change in the period
31 until the next review.



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Senate File 2082 - Introduced

SENATE FILE 2082

BY RAGAN, BEALL, HART, JOCHUM,
BLACK, PETERSEN, BRASE,
SCHOENJAHN, MATHIS,
McCOY, GRONSTAL, COURTNEY,
DEARDEN, HORN, WILHELM,
BOWMAN, SENG, DANIELSON,
DOTZLER, BOLKCOM, HOGG,
HATCH, and SODDERS

A BILL FOR

1 An Act relating to the submission of a Medicaid state plan
2 amendment for the provision of home and community-based
3 services to elders.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5142ST (2) 85
pf/nh



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S.F. 2082

1 Section 1. MEDICAID — SECTION 1915(i) STATE PLAN
2 AMENDMENT — HOME AND COMMUNITY-BASED SERVICES FOR ELDERS. The
3 department of human services shall convene a workgroup of
4 stakeholders with interest or expertise in issues relating
5 to elders to develop a section 1915(i) medical assistance
6 program state plan amendment in accordance with section
7 2402 of the federal Patient Protection and Affordable Care
8 Act to cover home and community-based services for eligible
9 elders 65 years of age or older. The workgroup shall make
10 recommendations on or before September 1, 2014, relating to
11 financial eligibility; benefits, including whether individuals
12 receiving 1915(i) services should be eligible for full Medicaid
13 benefits; available services; and the needs-based level of
14 care criteria for determination of eligibility under the state
15 plan amendment. The recommendations of the workgroup shall be
16 incorporated into a 1915(i) state plan amendment and submitted
17 by the department of human services to the centers for Medicare
18 and Medicaid services of the United States department of health
19 and human services for approval.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill directs the department of human services (DHS)
24 to convene a workgroup of stakeholders with interest or
25 expertise in issues relating to elders to develop a section
26 1915(i) Medicaid state plan amendment to provide home and
27 community-based services (HCBS) to eligible elders. The
28 workgroup is directed to make recommendations on or before
29 September 1, 2014, relating to financial eligibility; benefits,
30 including whether individuals receiving 1915(i) services should
31 be eligible for full Medicaid benefits; available services; and
32 the needs-based level of care criteria for determination of
33 eligibility under the state plan amendment. The bill directs
34 DHS to incorporate the recommendations of the workgroup into
35 a state plan amendment to be submitted to the centers for

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1 Medicare and Medicaid services of the United States department
2 of health and human services for approval.
3 The 1915(i) state plan amendment option under the federal
4 Patient Protection and Affordable Care Act (ACA) allows states
5 to provide HCBS to eligible individuals without requiring
6 the individuals to meet the institutional level of care
7 criteria. Rather, an individual must meet a needs-based
8 criteria specified by the state that is less restrictive
9 than the state's institutional level of care criteria. The
10 ACA provision also allows states to expand the scope of
11 allowable services; allows states to provide a specific set
12 of HCBS benefits to a targeted population group; allows the
13 use of increased income eligibility up to 300 percent of the
14 supplemental security income (SSI) federal benefit level; and
15 allows states to provide full Medicaid state plan benefits to
16 those eligible for the 1915(i) HCBS option. Because the HCBS
17 option is based on a state plan amendment rather than a waiver,
18 the HCBS must be offered to all eligible individuals on a
19 statewide basis. The state cannot limit the number of eligible
20 individuals, establish a waiting list for these individuals, or
21 limit services to only specified areas of the state.



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Senate File 2083 - Introduced

SENATE FILE 2083
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 3013)

A BILL FOR

1 An Act concerning licensure requirements for dietetics as
2 established or approved by the academy of nutrition and
3 dietetics.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5310SV (2) 85
ad/nh



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S.F. 2083

1 Section 1. Section 152A.2, subsection 1, Code 2014, is
2 amended to read as follows:

3 1. An applicant shall be issued a license to practice
4 dietetics by the board when the applicant satisfies all of the
5 following:

6 a. Possesses a baccalaureate degree or postbaccalaureate
7 degree with a major course of study in human nutrition, food
8 and nutrition, dietetics, or food systems management, or
9 in an equivalent major course of study which meets minimum
10 academic requirements as established by the ~~American dietetic~~
11 ~~association~~ accreditation council for education in nutrition
12 and dietetics of the academy of nutrition and dietetics and
13 approved by the board.

14 b. Completes an ~~internship or preplanned professional~~
15 ~~experience program~~ accredited competency-based supervised
16 experience program approved by the ~~American dietetic~~
17 ~~association~~ accreditation council for education in nutrition
18 and dietetics of the academy of nutrition and dietetics and
19 approved by the board.

20 c. Satisfactorily completes an the commission on dietetic
21 registration of the academy of nutrition and dietetics
22 examination designed approved by the board.

23 Sec. 2. Section 152A.3, subsection 2, Code 2014, is amended
24 to read as follows:

25 2. Dietetics students who engage in clinical practice under
26 the supervision of a dietitian as part of a dietetic education
27 program ~~approved or accredited by the American dietetic~~
28 ~~association~~ or a competency-based supervised experience
29 program approved by the accreditation council for education
30 in nutrition and dietetics of the academy of nutrition and
31 dietetics.

32 Sec. 3. Section 152A.3, subsection 4, paragraph b, Code
33 2014, is amended to read as follows:

34 b. Conducting a teaching clinical demonstration in
35 connection with a program of basic clinical education, graduate



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1 education, or postgraduate education which is sponsored by
2 a dietetic education program or ~~accredited by the American~~
3 ~~dietetic association and carried out in an educational~~
4 ~~institution or its affiliated clinical facility or health~~
5 ~~care agency, or before a group of licensed dietitians a~~
6 competency-based supervised experience program approved by the
7 accreditation council for education in nutrition and dietetics
8 of the academy of nutrition and dietetics.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to licensure requirements for dietetics.
13 The bill changes references from the American dietetic
14 association to the academy of nutrition and dietetics to
15 reflect the association's name change. The bill also specifies
16 that the accreditation council for education in nutrition
17 and dietetics is the credentialing agency within the academy
18 of nutrition and dietetics. Further, the bill states that
19 a dietitian, to obtain licensure in Iowa, must complete an
20 examination approved by both the academy of nutrition and
21 dietetics and the board of dietetics rather than just the
22 board. The bill allows an exemption from licensure for
23 dietetic students engaged in a competency-based supervised
24 experience program approved by the academy of nutrition
25 and dietetics and for dietitians conducting a teaching
26 demonstration in connection with clinical education sponsored
27 by a competency-based supervised experience program, rather
28 than just a dietetic education program.



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Senate File 2084 - Introduced

SENATE FILE 2084

BY SODDERS, HATCH, BLACK,
McCOY, BEALL, HART,
BRASE, BOLKCOM, DVORSKY,
DOTZLER, PETERSEN, TAYLOR,
HORN, DEARDEN, COURTNEY,
GRONSTAL, JOCHUM, SENG,
SCHOENJAHN, WILHELM, RAGAN,
and BOWMAN

A BILL FOR

1 An Act relating to the services provided through the department
2 of human services for children and young adults, including
3 through the Iowa juvenile home, and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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jp/rj



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1 Section 1. Section 218.13, subsection 1, paragraph c, Code
2 2014, is amended to read as follows:

3 c. "*Resident*" means a person ~~committed or~~ admitted to,
4 committed to, or placed at an institution.

5 Sec. 2. Section 232.52, subsection 2, Code 2014, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. 0c. An order placing the child at the
8 Iowa juvenile home for a time-limited assessment of the
9 functioning and service needs of the child. Unless the
10 court enters an order for an out-of-home placement under this
11 subsection, if the evidence in the record shows that the child
12 has been previously adjudicated as delinquent or as a child
13 in need of assistance and has been the subject of three or
14 more out-of-home placements, the court shall enter an order
15 for the child to be placed at the Iowa juvenile home for a
16 time-limited assessment. Upon receiving the Iowa juvenile
17 home's assessment, the court shall consider the recommendations
18 made in the assessment in ordering a disposition under this
19 subsection.

20 Sec. 3. Section 232.52, subsection 2, paragraph e,
21 unnumbered paragraph 1, Code 2014, is amended to read as
22 follows:

23 An order transferring the guardianship of the child,
24 subject to the continuing jurisdiction and custody of the court
25 for the purposes of section 232.54, to the director of the
26 department of human services for purposes of placement in the
27 state training school, Iowa juvenile home, or other facility,
28 provided that the child is at least twelve years of age and
29 the court finds the placement to be in the best interests of
30 the child or necessary for the protection of the public, and
31 that the child has been found to have committed an act which is
32 a forcible felony, as defined in section 702.11, or a felony
33 violation of section 124.401 or chapter 707, or the court finds
34 any three of the following conditions exist:

35 Sec. 4. Section 232.52, subsection 10, paragraph a,

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1 unnumbered paragraph 1, Code 2014, is amended to read as
2 follows:

3 Upon receipt of an application from the director of the
4 department of human services, the court shall enter an order to
5 temporarily transfer a child who has been placed in the state
6 training school or Iowa juvenile home pursuant to subsection
7 2, paragraph "e", to a facility which has been designated to be
8 an alternative placement site for the state training school or
9 Iowa juvenile home, provided the court finds that all of the
10 following conditions exist:

11 Sec. 5. Section 232.52, subsection 10, paragraph a,
12 subparagraph (2), Code 2014, is amended to read as follows:

13 (2) Immediate removal of the child from the state training
14 school or Iowa juvenile home is necessary to safeguard the
15 child's physical or emotional health.

16 Sec. 6. Section 232.54, subsection 1, paragraph f, Code
17 2014, is amended to read as follows:

18 f. With respect to a temporary transfer order made pursuant
19 to section 232.52, subsection 10, if the court finds that
20 removal of a child from the state training school or Iowa
21 juvenile home is necessary to safeguard the child's physical
22 or emotional health and is in the best interests of the child,
23 the court shall grant the director's motion for a substitute
24 dispositional order to place the child in a facility which has
25 been designated to be an alternative placement site for the
26 state training school or Iowa juvenile home.

27 Sec. 7. Section 232.102, Code 2014, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 2A. After a dispositional hearing the
30 court may enter an order for the child to be placed at the Iowa
31 juvenile home for a time-limited assessment of the functioning
32 and service needs of the child. Unless the court enters an
33 order for an out-of-home placement under this section, if the
34 evidence in the record shows that the child has been previously
35 adjudicated as delinquent or as a child in need of assistance

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1 and has been the subject of three or more out-of-home
2 placements, the court shall enter an order for the child to be
3 placed at the Iowa juvenile home for a time-limited assessment.
4 Upon receiving the Iowa juvenile home's assessment, the court
5 shall consider the recommendations made in the assessment in
6 ordering a disposition under this section.

7 Sec. 8. Section 232.102, subsection 3, Code 2014, is amended
8 to read as follows:

9 3. After a dispositional hearing and upon written
10 findings of fact based upon evidence in the record that an
11 alternative placement set forth in subsection 1, paragraph
12 "a", subparagraph (1), has previously been made and is not
13 appropriate the court may enter an order transferring the
14 guardianship of the child for the purposes of subsection 8,
15 to the director of human services for the purposes of an
16 assessment by or placement in the Iowa juvenile home at Toledo.

17 Sec. 9. Section 233A.1, Code 2014, is amended to read as
18 follows:

19 **233A.1 State training school — at Eldora and Toledo.**

20 1. ~~Effective January 1, 1992, a~~ A diagnosis and evaluation
21 center and other units ~~are established~~ shall be maintained
22 at Eldora to provide to male juvenile delinquents a program
23 which focuses upon appropriate developmental skills, treatment,
24 placements, and rehabilitation.

25 2. The diagnosis and evaluation center which is used to
26 identify appropriate treatment and placement alternatives for
27 ~~juveniles~~ male juvenile delinquents and any other units for
28 male juvenile delinquents which are located at Eldora ~~and~~
29 ~~the unit for juvenile delinquents at Toledo~~ shall together
30 be known as the "*state training school*". For the purposes of
31 this chapter, "*director*" means the director of human services
32 and "*superintendent*" means the administrator in charge of the
33 diagnosis and evaluation center for juvenile delinquents and
34 other units at Eldora ~~and the unit for juvenile delinquents at~~
35 ~~Toledo~~.

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1 3. The number of children present at any one time at the
2 state training school at Eldora shall not exceed the population
3 guidelines established under 1990 Iowa Acts, chapter 1239,
4 section 21, as adjusted for subsequent changes in the capacity
5 at the training school.

6 4. For any child receiving a diagnosis or evaluation from
7 or placed at the state training school, the state training
8 school shall provide a written plan regarding the placement
9 status of the child on or about the time the child becomes age
10 eighteen. The plan shall, while giving consideration to the
11 treatment needs of the child, also give consideration to the
12 long-term needs of the child upon becoming age eighteen. Given
13 these considerations, the plan shall identify placement options
14 to meet the child's needs that will not negatively affect the
15 child's adult eligibility for assistance provided with federal
16 financial participation. The assistance addressed shall
17 include but is not limited to the preparation for adult living
18 program under section 234.46, the medical assistance program,
19 and the federal job corps program.

20 Sec. 10. Section 233A.6, Code 2014, is amended to read as
21 follows:

22 **233A.6 Visits — guardian ad litem.**

23 1. Members of the executive council, the attorney general,
24 the lieutenant governor, members of the general assembly,
25 judges of the supreme and district court and court of appeals,
26 magistrates, county attorneys and persons ordained or
27 designated as regular leaders of a religious community are
28 authorized to visit the state training school at reasonable
29 times. No Except as authorized by subsection 2 or other law,
30 other person persons shall not be granted admission except by
31 permission of the superintendent.

32 2. The guardian ad litem for a child placed at the state
33 training school shall meet in person with the child at least
34 quarterly and shall report to the court regarding the child as
35 required by the court.

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1 Sec. 11. Section 233B.1, Code 2014, is amended to read as
2 follows:

3 **233B.1 Definitions — purpose — population limit.**

4 1. For the purpose of this chapter, unless the context
5 otherwise requires:

6 a. "Administrator" or "director" means the director of the
7 department of human services.

8 b. "Home" means the Iowa juvenile home.

9 c. "Superintendent" means the superintendent of the Iowa
10 juvenile home.

11 2. The Iowa juvenile home shall be maintained ~~for the~~
12 ~~purpose of providing care, custody, and education of the~~
13 ~~children committed to the home. The children shall be wards of~~
14 ~~the state. The children's education shall embrace instruction~~
15 ~~in the common school branches and in such other higher branches~~
16 ~~as may be practical and will enable the children to gain useful~~
17 ~~and self-sustaining employment. The administrator and the~~
18 ~~superintendent of the home shall assist all discharged children~~
19 ~~in securing suitable homes and proper employment. to do all of~~
20 the following for residents of this state:

21 a. Provide time-limited assessments of the functioning
22 and service needs of female and male children less than
23 age eighteen who have been adjudicated under chapter 232 as
24 delinquent or as a child in need of assistance. The placement
25 of a child at the home for an assessment shall be by one of the
26 following means:

27 (1) By order of the juvenile court under chapter 232.

28 (2) For a child in an out-of-home placement, by referral of
29 the department or an agency providing services to the child.

30 b. Provide gender-responsive services to female children
31 less than age eighteen who have been adjudicated under chapter
32 232 as delinquent or as a child in need of assistance and
33 placed at the home in accordance with a court order.

34 c. Provide continued placement at the home for female
35 children who were placed at the home under paragraph "b" upon

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1 the children becoming an adult, until age twenty-one. The
2 purpose of continued placement is for completion of high school
3 education requirements identified in the education plans
4 developed by the provider of educational services for the
5 children.

6 d. Provide training and consultation services to public
7 and private providers of services to children adjudicated
8 delinquent or as a child in need of assistance.

9 e. Provide follow-up services to children, who received
10 assessment services from or placement services at the home and
11 who remain under the jurisdiction of the juvenile court, as
12 necessary to meet the long-term needs of the children as they
13 age into adulthood. Follow-up services shall be provided to
14 support children who are discharged from the home during the
15 period beginning twelve months prior to the children becoming
16 age eighteen and ending on the day prior to the children
17 becoming age eighteen who do not remain under the jurisdiction
18 of the juvenile court. In addition, follow-up services shall
19 be made available to children discharged from the home at
20 any age upon or after the children become age eighteen and
21 continuing until at least age twenty-one.

22 3. The assessment services provided by the home to a
23 child shall identify any physical, emotional, intellectual,
24 behavioral, or mental health disorder or condition affecting
25 the child and recommend treatment to address the disorder or
26 condition, identify any substance-related disorder of the child
27 or the child's family and recommend treatment to address the
28 disorder, assess the child's educational status and recommend
29 action to address any identified educational deficiency, and
30 identify specific public and private service providers with
31 the capacity to meet the child's needs. The assessment of a
32 child shall identify one or more placement or service options
33 to best meet the permanency needs of the child. The assessment
34 findings, assumptions, and recommendations shall be reported in
35 writing to the court or other person that referred the child

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1 for assessment.

2 4. For any child receiving an assessment from or placed
3 at the home, the home shall provide a written plan regarding
4 the placement status of the child on or about the time the
5 child becomes age eighteen. The plan shall, while giving
6 consideration to the treatment needs of the child, also give
7 consideration to the long-term needs of the child upon becoming
8 age eighteen. Given these considerations, the plan shall
9 identify placement options to meet the child's needs that will
10 not negatively affect the child's eligibility as an adult for
11 assistance provided through federal financial participation.
12 The assistance addressed shall include but is not limited to
13 the preparation for adult living program under section 234.46,
14 the medical assistance program, and the federal job corps
15 program.

16 ~~3.~~ 5. The number of children present at any one time at the
17 Iowa juvenile home shall not exceed the population guidelines
18 established under 1990 Iowa Acts, chapter 1239, section 21, as
19 adjusted for subsequent changes in the capacity at the home.

20 6. The education services provided to the children placed
21 at the home shall be provided by a local school district,
22 area education agency, or other provider approved by the
23 department of education. Funding shall be made available by
24 the department or as designated by law for education services
25 to be provided to the children placed at the home throughout
26 the fiscal year and to pay the other education costs that are
27 not paid for under chapter 257.

28 7. The department shall cause the home to be accredited as
29 a juvenile correctional facility by the American correctional
30 association, to meet the standards adopted by the department
31 for approval of a juvenile detention home, and to meet
32 applicable standards for programs providing residential
33 services for children paid for by a managed care or prepaid
34 services contract under the medical assistance program.

35 8. The administrator and the superintendent for the

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1 home shall provide on an ongoing basis for the home's
2 programs, facilities, and services, and for the training
3 of staff in order to apply evidence-based practices and
4 other recognized contemporary approaches to ensure that
5 the care for the children served by the home is of high
6 quality. The administrator's and superintendent's efforts
7 and recommendations to comply with this requirement shall
8 be documented in the annual budget and financial reporting
9 submitted to the governor and the general assembly.

10 Sec. 12. Section 233B.2, Code 2014, is amended to read as
11 follows:

12 **233B.2 Salary.**

13 The salary of the superintendent of the home shall be
14 determined by the administrator in accordance with the state
15 requirements for similar positions.

16 Sec. 13. Section 233B.3, Code 2014, is amended to read as
17 follows:

18 **233B.3 ~~Admissions~~ Commitments and placements — guardian ad**
19 **~~litem.~~**

20 ~~Admission to the home shall be granted to resident children~~
21 ~~of the state under seventeen years of age, as follows, giving~~
22 ~~preference in the order named:~~

23 1. ~~Neglected or dependent children committed by the~~
24 ~~juvenile court~~ Commitments to and placements at the Iowa
25 juvenile home shall be limited to the commitments and
26 placements specified in section 233B.1.

27 2. ~~Other destitute children~~ The guardian ad litem for a
28 child placed at the home shall meet in person with the child
29 at least quarterly and shall report to the court regarding the
30 child as required by the court.

31 Sec. 14. Section 233B.4, Code 2014, is amended to read as
32 follows:

33 **233B.4 Procedure.**

34 The procedure for commitment to and placement at the home is
35 shall be as provided by chapter 232 and section 233B.3.

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1 Sec. 15. Section 233B.5, Code 2014, is amended to read as
2 follows:

3 **233B.5 Transfers.**

4 The administrator may propose the transfer to the home
5 of minor wards of the state from any institution under the
6 administrator's charge or under the charge of any other
7 administrator of the department of human services; ~~but no~~
8 ~~person shall be so transferred who is a person with mental~~
9 ~~illness or an intellectual disability, or who is incorrigible,~~
10 ~~or has any vicious habits, or whose presence in the home would~~
11 ~~be inimical to the moral or physical welfare of the other~~
12 ~~children within the home, and any such child in the home may~~
13 ~~be transferred to the proper state institution. However, the~~
14 superintendent shall only approve the transfer of minor wards
15 who meet the placement criteria specified in section 233B.1.

16 Sec. 16. Section 233B.6, Code 2014, is amended to read as
17 follows:

18 **233B.6 Profits and earnings.**

19 Any money earned by or accrued to the benefit of a child
20 who is transferred to, admitted to, or placed in foster care
21 from the home shall be used, held, or otherwise applied for the
22 exclusive benefit of that child, in accordance with section
23 234.37.

24 Sec. 17. Section 233B.7, Code 2014, is amended to read as
25 follows:

26 **233B.7 Rules.**

27 ~~All children admitted or committed to the home shall be wards~~
28 ~~of the state and subject to the rules of the home. Subject to~~
29 ~~the approval of the administrator, any child received under~~
30 ~~voluntary application may be expelled by the superintendent~~
31 ~~for disobedience and refusal to submit to proper discipline.~~
32 ~~Children shall be discharged upon arriving at the age of~~
33 ~~eighteen years, or sooner if possessed of sufficient means to~~
34 ~~provide for themselves. The department shall adopt rules to~~
35 administer and operate the home in the best interests of the

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1 children placed at the home.

2 Sec. 18. Section 234.46, subsection 1, paragraph c, Code
3 2014, is amended to read as follows:

4 c. At the time the person became age eighteen, the person
5 received foster care services that were paid for by the state
6 under section 234.35, services at the Iowa juvenile home or
7 the state training school, services at a juvenile shelter care
8 home, or services at a juvenile detention home and the person
9 is no longer receiving such services.

10 Sec. 19. Section 234.46, subsection 2, unnumbered paragraph
11 1, Code 2014, is amended to read as follows:

12 The division shall establish a preparation for adult living
13 program directed to young adults. The purpose of the program
14 is to assist persons who are leaving foster care and other
15 court-ordered services at age eighteen or older in making the
16 transition to self-sufficiency. The department shall adopt
17 rules necessary for administration of the program, including
18 but not limited to eligibility criteria for young adult
19 participation and the services and other support available
20 under the program. The rules shall provide for participation
21 of each person who meets the definition of young adult on
22 the same basis, regardless of whether federal financial
23 participation is provided. The services and other support
24 available under the program may include but are not limited to
25 any of the following:

26 Sec. 20. Section 331.424, subsection 1, paragraph a,
27 subparagraph (1), subparagraph division (b), Code 2014, is
28 amended to read as follows:

29 (b) Care of children ~~admitted or committed to~~ or placed at
30 the Iowa juvenile home at Toledo.

31 Sec. 21. Section 331.756, subsection 51, Code 2014, is
32 amended by striking the subsection.

33 Sec. 22. Section 331.802, subsection 3, paragraph k, Code
34 2014, is amended to read as follows:

35 k. Death of a person ~~committed or~~ admitted to, committed to,

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1 or placed at a state mental health institute, a state resource
2 center, the state training school, or the Iowa juvenile home.

3 Sec. 23. Section 357H.1, subsection 1, Code 2014, is amended
4 to read as follows:

5 1. The board of supervisors of a county with less than
6 twenty thousand residents, not counting persons admitted ~~or to,~~
7 committed to, or placed at an institution enumerated in section
8 218.1 or 904.102, based upon the 2000 certified federal census,
9 and with a private lake development shall designate an area
10 surrounding the lake, if it is an unincorporated area of the
11 county, a rural improvement zone upon receipt of a petition
12 pursuant to section 357H.2, and upon the board's determination
13 that the area is in need of improvements.

14 Sec. 24. Section 690.4, subsection 1, Code 2014, is amended
15 to read as follows:

16 1. The warden of the Iowa medical and classification center
17 and superintendent of the state training school shall take or
18 procure the taking of the fingerprints, and, in the case of
19 the Iowa medical and classification center only, Bertillon
20 photographs of any person received on commitment to their
21 respective institutions, and shall forward such fingerprint
22 records and photographs within ten days after they are taken
23 to the department of public safety. The superintendent of the
24 Iowa juvenile home shall take or procure the taking of the
25 fingerprints of any female adjudicated delinquent who is placed
26 at the home and shall forward the fingerprint records within
27 ten days after they are taken to the department of public
28 safety. Information obtained from fingerprint cards submitted
29 pursuant to this section may be retained by the department
30 of public safety as criminal history records. If a charge
31 for a serious misdemeanor, aggravated misdemeanor, or felony
32 is brought against a person already in the custody of a law
33 enforcement or correctional agency and the charge is filed in a
34 case separate from the case for which the person was previously
35 arrested or confined, the agency shall take the fingerprints of

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1 the person in connection with the new case and submit them to
2 the department of public safety.

3 Sec. 25. Section 904.201, subsection 8, Code 2014, is
4 amended to read as follows:

5 8. Chapter 230 governs the determination of costs and
6 charges for the care and treatment of persons with mental
7 illness admitted to the forensic psychiatric hospital,
8 except that charges for the care and treatment of any person
9 transferred to the forensic psychiatric hospital from an
10 adult correctional institution ~~or from a~~, the state training
11 school, or the Iowa juvenile home shall be paid entirely from
12 state funds. Charges for all other persons at the forensic
13 psychiatric hospital shall be billed to the respective counties
14 at the same ratio as for patients at state mental health
15 institutes under section 230.20.

16 Sec. 26. Section 904.503, subsection 1, paragraph c, Code
17 2014, is amended to read as follows:

18 c. If the juvenile court waives its jurisdiction over a
19 child over thirteen and under eighteen years of age pursuant
20 to section 232.45 so that the child may be prosecuted as an
21 adult and if the child is convicted of a public offense in the
22 district court and committed to the custody of the director
23 under section 901.7, the director may request transfer of
24 the child to the state training school or Iowa juvenile home
25 under this section. If the administrator of a division of
26 the department of human services consents and approves the
27 transfer, the child may be retained in temporary custody by the
28 state training school or Iowa juvenile home until attaining the
29 age of eighteen, at which time the child shall be returned to
30 the custody of the director of the department of corrections
31 to serve the remainder of the sentence imposed by the district
32 court. If the child becomes a security risk or becomes a
33 danger to other residents of the state training school or Iowa
34 juvenile home at any time before reaching eighteen years of
35 age, the administrator of the division of the department of

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1 human services may immediately return the child to the custody
2 of the director of the department of corrections to serve the
3 remainder of the sentence.

4 Sec. 27. Section 915.29, subsection 1, unnumbered paragraph
5 1, Code 2014, is amended to read as follows:

6 The department of human services shall notify a registered
7 victim regarding a juvenile adjudicated delinquent for a
8 violent crime, committed to the custody of the department of
9 human services, and placed at the state training school at
10 Eldora or the Iowa juvenile home at Toledo, of the following:

11 Sec. 28. REPEAL. Sections 233B.10, 233B.11, 233B.12, and
12 233B.13, Code 2014, are repealed.

13 Sec. 29. EFFECTIVE UPON ENACTMENT. This Act, being deemed
14 of immediate importance, takes effect upon enactment.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the services provided through the
19 department of human services (DHS) for children and young
20 adults, including through the Iowa juvenile home (home). The
21 bill amends the services required to be provided at the home
22 and limits continued placements to females only. In addition,
23 references in current law to the state training school that, by
24 definition, also include the home are amended to specifically
25 reference the home.

26 Code section 218.13, relating to employment record checks
27 of prospective and current employees of DHS institutions, is
28 amended to include the placement terminology used in the bill.

29 Juvenile justice code dispositional provisions in Code
30 sections 232.52 and 232.54 (delinquency) and Code section
31 232.102 (child in need of assistance) are amended to
32 specifically reference the home in lieu of the definition in
33 current law that includes the home in the defined term, "state
34 training school". The current law in Code section 232.52 is
35 maintained which restricts placement in the institutions of

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1 adjudicated delinquent males and females who are at least
2 age 12 and the court finds the placement to be in the best
3 interests of the child or necessary for the protection of the
4 public, and that the child has been found to have committed
5 an act which is a forcible felony, as defined in Code section
6 702.11 (felonious child endangerment, assault, murder, sexual
7 abuse, kidnapping, robbery, arson in the first degree, or
8 burglary in the first degree), or a felony violation of Code
9 section 124.401 (prohibited acts with controlled substances)
10 or Code chapter 707 (homicide and related crimes) or meets at
11 least three of four other criteria relating to age, crimes
12 against persons, recidivism, and prior placement.

13 An addition is made to the dispositional orders the court
14 may enter under Code section 232.52 (adjudicated delinquent)
15 and Code section 232.102 (adjudicated as a CINA), authorizing
16 the court to enter a temporary order for placement of the child
17 at the Iowa juvenile home for an assessment. Unless the court
18 enters a dispositional order for an out-of-home placement, if
19 the record shows that the child has been previously adjudicated
20 as delinquent or as a CINA and has been ordered into three or
21 more out-of-home placements, the court is required to enter a
22 temporary order for the child to be placed at the Iowa juvenile
23 home for assessment. Upon receiving the Iowa juvenile home's
24 assessment, the court must consider the recommendations made
25 in the assessment in entering one of the dispositional orders
26 available to the court for a child adjudicated delinquent or
27 as a CINA.

28 Code chapter 233A.1, relating to the state training school
29 at Eldora is amended to eliminate the inclusion of the Iowa
30 juvenile home in the training school by definition. In
31 addition, the state training school is required to provide
32 a written plan regarding the placement status of a child at
33 the training school on or about the time the child becomes
34 age 18. The plan is required to identify placement options
35 to meet the child's needs that will not negatively affect the

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1 child's adult eligibility for assistance provided through
2 federal financial participation. The assistance addressed is
3 required to include the preparation for adult living program,
4 the medical assistance (Medicaid) program, and the federal job
5 corps program.

6 Code section 233A.6, relating to visits at the training
7 school is amended to require the guardian ad litem for a child
8 placed at the school to meet in person with the child at least
9 quarterly and to report to the court regarding the child as
10 required by the court.

11 Code chapter 233B, relating to the Iowa juvenile home, is
12 substantially rewritten.

13 Code section 233B.1 is amended to revise the purpose of the
14 home to provide time-limited assessments of the functioning
15 and service needs of female and male children who have been
16 adjudicated as delinquent or as a child in need of assistance
17 (CINA), to provide gender-responsive services to such females
18 placed at the home for treatment and other services, to provide
19 continued placements of females placed at the home who age
20 into adulthood to complete high school education requirements
21 (this authorization exists in current law in Code section
22 233B.10, repealed by the bill), and to provide training and
23 consultation services to public and private providers of
24 services to children adjudicated delinquent or as a CINA.
25 Certain functions are required to be part of the assessment
26 services. Similar to the requirement for the state training
27 school, the home is required to provide a written plan for the
28 placement status of a child assessed by or placed at the home
29 on or about the time the child becomes age 18.

30 In addition, the home is required to provide follow-up
31 services to children who received assessment services from
32 or placement services at the home and who remain under the
33 jurisdiction of the juvenile court, and to persons who were
34 placed at the home and have aged into adulthood.

35 Education services for the children placed at the home are

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1 to be provided by the local school district, area education
2 agency, or other provider approved by the department of
3 education. Moneys are to be made available by DHS or as
4 designated by law for education costs not paid for through the
5 school finance provisions of Code chapter 257.

6 DHS is required to cause the home to be accredited as a
7 juvenile correctional facility by the American correctional
8 association, to meet DHS standards for approval as a juvenile
9 detention home, and to meet the applicable standards for
10 residential services for children paid for by managed care or
11 prepaid services contract for the Medicaid program.

12 The DHS administrator and the home's superintendent
13 are required to provide on an ongoing basis for the home's
14 programs, facilities, and services, and for the training
15 of staff in order to apply evidence-based practices and
16 other recognized contemporary approaches to ensure that
17 the care for the children served by the home is of high
18 quality. The administrator's and superintendent's efforts
19 and recommendations to comply with this requirement are to
20 be documented in the annual budget and financial reporting
21 submitted to the governor and general assembly.

22 Code section 233B.3, relating to admissions of children who
23 are residents of this state, is amended to limit commitments to
24 placements specified in Code section 233B.1, as amended by the
25 bill. The requirement in current law restricting admission to
26 children under age 17 is stricken. In addition, the guardian
27 ad litem for a child placed at the home is required to meet in
28 person with the child at least quarterly and to report to the
29 court regarding the child as required by the court.

30 Code section 233B.5 is amended to modify the authority of DHS
31 to transfer children from other DHS institutions to the home.
32 The bill prohibits the home's superintendent from approving a
33 transfer proposal that does not meet the placement criteria
34 specified by the bill.

35 Code section 233B.7, requiring children to comply with the

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1 rules of the home, is amended. Requirements for children to
2 comply with the rules of the home, for expulsion of voluntary
3 placements who do not comply, and requiring discharge when a
4 child becomes age 18 are stricken. The bill requires DHS to
5 adopt rules to administer and operate the home to meet the best
6 interests of the children admitted to the home.

7 Code sections 233B.10, 233B.11, 233B.12, and 233B.13 are
8 repealed. These sections authorize DHS to place a child
9 admitted to the home into foster care and allow the placement
10 to continue into adulthood for educational purposes. Other
11 repealed Code sections provide for contracting for the
12 placements and for the county attorney to institute proceedings
13 to recover possession of the child if the contract is violated
14 and to prohibit the child's parent from interfering with the
15 placement or the child while the placement is in force. A
16 subsection of Code section 331.756, relating to the duties of
17 the county attorney, is amended to remove this duty of the
18 county attorney to recover possession of a child placed from
19 the home into foster care.

20 Code section 234.46, relating to the preparation for
21 adult living program administered by DHS, is amended. The
22 eligibility definition is expanded to include persons who,
23 at the time such person became age 18, received services at
24 the Iowa juvenile home, the state training school, a shelter
25 care home, or a juvenile detention home. Current law limits
26 eligibility to persons who, at the time such person became
27 age 18, was receiving foster care services paid for by the
28 state. The rules adopted by the department for the program are
29 required to provide for the participation of each person who
30 meets the eligibility definition on the same basis, regardless
31 of whether federal financial participation is provided.

32 Code section 331.424, relating to county supplemental levy
33 authority, is amended to conform with the placement terminology
34 used in the bill.

35 Code section 331.802, relating to reporting and

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1 investigations of certain deaths, is amended to include the
2 placement terminology used in the bill in a reference to death
3 of a person that occurs at the home.

4 Code section 357H.1, relating to rural improvement zones, is
5 amended to include the placement terminology used in the bill
6 in a reference to DHS institutions.

7 Code section 690.4, which requires fingerprinting of
8 children placed at the state training school, which by
9 definition includes the Iowa juvenile home, is amended to
10 specifically require fingerprinting of females adjudicated
11 delinquent who are placed at the home.

12 Code section 904.201, relating to the Iowa medical
13 and classification center at Oakdale, provides for state
14 responsibility for charges for children admitted to the center
15 from the state training school, which by definition includes
16 the Iowa juvenile home, and the bill specifically refers to the
17 home.

18 Code section 904.503 allows for the director of the
19 department of corrections to request the transfer to the state
20 training school (includes the Iowa juvenile home by current
21 definition) of a child over age 13 and less than 18 who was
22 prosecuted and convicted as an adult in order for the school to
23 keep the child in custody until age 18. The bill specifically
24 lists the Iowa juvenile home in this authorization rather than
25 including the home by definition.

26 Code section 915.29, relating to notification of victims of
27 a violent crime committed by a juvenile delinquent when placed
28 at the state training school (includes the Iowa juvenile home
29 by current definition) and the juvenile escapes or is to be
30 released, is amended to specifically list the Iowa juvenile
31 home in this requirement rather than including the home by
32 definition.

33 The bill takes effect upon enactment.

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Daily Bills, Amendments and Study Bills
January 30, 2014

Senate File 2085 - Introduced

SENATE FILE 2085

BY BEALL

(COMPANION TO HF 2057 BY HESS)

A BILL FOR

1 An Act relating to real estate transfer receipts and real
2 property enhancement and making appropriations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5398XS (2) 85
tm/sc



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1 Section 1. Section 428A.8, subsection 2, unnumbered
2 paragraph 1, Code 2014, is amended to read as follows:
3 The treasurer of state shall deposit or transfer the
4 receipts paid the treasurer of state pursuant to subsection
5 1 to either the general fund of the state, the housing trust
6 fund created in section 16.181, ~~or~~ the shelter assistance fund
7 created in section 16.41, or the real property enhancement fund
8 created in section 455B.118 as follows:

9 Sec. 2. Section 428A.8, subsection 2, paragraph f, Code
10 2014, is amended to read as follows:

11 f. For the fiscal year beginning July 1, 2014, and each
12 succeeding fiscal year, sixty-five percent of the receipts
13 less eight million dollars shall be deposited in the general
14 fund, thirty percent of the receipts shall be transferred to
15 the housing trust fund, and five percent of the receipts shall
16 be transferred to the shelter assistance fund. The eight
17 million dollars reduced from the receipts to be deposited in
18 the general fund shall be transferred to the real property
19 enhancement fund.

20 Sec. 3. NEW SECTION. 455B.118 Real property enhancement
21 fund.

22 1. A real property enhancement fund is created in the state
23 treasury under the control of the department and consisting
24 of moneys appropriated by the general assembly, moneys
25 transferred pursuant to section 428A.8, subsection 2, and any
26 other moneys available to and obtained or accepted by the
27 department for placement in the fund. Moneys in the fund are
28 appropriated to the department for purposes of subsection 2.
29 Notwithstanding section 8.33, moneys credited to the fund that
30 remain unexpended or unobligated at the end of a fiscal year
31 shall not revert to any other fund.

32 2. a. The department shall use moneys in the real property
33 enhancement fund to do all of the following:

34 (1) Expend not more than two million five hundred thousand
35 dollars each fiscal year for rural community enhancement

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1 project grants for cities with a population of not more than
2 ten thousand. The grants shall be awarded for purposes of
3 community enhancement and beautification as defined by the
4 department. A grant shall not exceed fifty thousand dollars.
5 The department may contract with an organization for purposes
6 of administering this subparagraph provided the organization
7 does all of the following:

8 (a) Assists communities and organizations in cleanup and
9 beautification projects.

10 (b) Conducts research to assist in the understanding of
11 reasons for littering and illegal dumping.

12 (c) Administers antilittering and beautification education
13 programs.

14 (d) Increases public awareness of the costs of littering.

15 (2) Expend not more than three million five hundred
16 thousand dollars each fiscal year for purposes described in
17 section 455E.11, subsection 2, paragraph "a", subparagraph (1),
18 subparagraph division (e).

19 (3) Expend not more than five hundred thousand dollars each
20 fiscal year for purposes of identifying and cleaning illegal or
21 open dumping sites, including waste tire sites.

22 (4) Expend not more than one million dollars each fiscal
23 year in the form of a grant to an organization meeting the
24 criteria in subparagraph (1). Moneys awarded under this
25 subparagraph shall be used to assist rural communities in
26 addressing issues related to the image and appearance of their
27 community.

28 (5) Expend not more than five hundred thousand dollars
29 each fiscal year in the form of a grant to an organization
30 meeting the criteria in subparagraph (1) for purposes of
31 public education and awareness in order to increase youth
32 awareness and commitment to service learning for community
33 beautification, establish and fund a litter hotline, and
34 publicize roadside beautification and adoption projects.

35 b. The department may use not more than five percent of the

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1 moneys deposited in the fund for administrative purposes.

2 Sec. 4. Section 455E.11, subsection 2, paragraph a,
3 subparagraph (1), subparagraph division (e), Code 2014, is
4 amended to read as follows:

5 (e) Not more than four hundred thousand dollars to the
6 department for purposes of providing funding assistance
7 to eligible communities to address abandoned buildings by
8 promoting waste abatement, diversion, selective dismantlement
9 of building components, and recycling. The department may
10 supplement the amount allocated from the solid waste account
11 under this paragraph "a" with moneys in the real property
12 enhancement fund as provided in section 455B.118. Eligible
13 communities include a city with a population of five ten
14 thousand or fewer. Eligible costs for program assistance
15 include but are not limited to asbestos and other hazardous
16 material abatement and removal, the recovery processing
17 of recyclable or reusable material through the selective
18 dismantlement of abandoned buildings, and reimbursement for
19 purchased recycled content materials used in the renovation of
20 buildings. For projects that support community beautification,
21 the department may elect to administer funding to eligible
22 communities in collaboration with the organization awarded the
23 beautification grant in accordance with subparagraph division
24 (a), subparagraph subdivision (i).

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to real estate transfer receipts and real
29 property enhancement.

30 Each fiscal year beginning with the fiscal year beginning
31 July 1, 2014, the bill transfers \$8 million of real estate
32 transfer receipts that are currently deposited in the general
33 fund to the real property enhancement fund created in the bill.

34 The bill creates a real property enhancement fund under
35 the control of the department of natural resources. The bill

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1 requires the department to use moneys in the fund for five
2 purposes specified in the bill.

3 The department is required to expend not more than \$2.5
4 million each fiscal year for rural community enhancement
5 project grants. The department may contract with an
6 organization for purposes of administering the grants.

7 The department is required to expend not more than \$3.5
8 million each fiscal year for purposes of providing assistance
9 to communities to address abandoned buildings by promoting
10 waste abatement, diversion, selective dismantlement of building
11 components, and recycling.

12 The department is required to expend not more than \$500,000
13 each fiscal year for purposes of identifying and cleaning
14 illegal or open dumping sites, including waste tire sites.

15 The department is required to expend not more than \$1 million
16 each fiscal year in the form of a grant to an organization for
17 providing assistance to rural communities in addressing issues
18 related to image and appearance of their community.

19 The department is required to expend not more than \$500,000
20 each fiscal year in the form of a grant to an organization for
21 purposes of certain public education and awareness activities.

22 The bill allows the department to use not more than 5
23 percent of the moneys deposited in the fund for administrative
24 purposes.

25 The bill amends the solid waste account of the groundwater
26 protection fund. Currently, not more than \$400,000 from the
27 account may be used by the department to provide funding
28 assistance to eligible communities to address abandoned
29 buildings by promoting waste abatement, diversion, selective
30 dismantlement of building components, and recycling and
31 to administer funding to communities in collaboration with
32 an organization awarded a beautification grant. Eligible
33 communities include a city with a population of 5,000 or
34 fewer. The bill increases the population limit for eligible
35 communities to 10,000. The bill also provides that moneys

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1 in the real property enhancement fund may supplement moneys
2 allocated from the solid waste account.



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Senate File 2086 - Introduced

SENATE FILE 2086
BY McCOY and SODDERS

A BILL FOR

1 An Act relating to the criminal transmission of a contagious or
2 infectious disease, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 709D.1 Title.

2 This chapter shall be known and may be cited as the
3 *"Contagious or Infectious Disease Transmission Act"*.

4 Sec. 2. NEW SECTION. 709D.2 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. *"Contagious or infectious disease"* means hepatitis in any
8 form, meningococcal disease, AIDS or HIV as defined in section
9 141A.1, or tuberculosis.

10 2. *"Exposes"* means engaging in conduct that poses a
11 substantial risk of transmission, but does not include conduct
12 posing a low or negligible risk of transmission, consistent
13 with guidance issued by the centers for disease control and
14 prevention of the United States department of health and human
15 services.

16 3. *"Practical means to prevent transmission"* means
17 substantial compliance with a treatment regimen prescribed
18 by a health care provider that measurably limits the risk
19 of transmission of the contagious or infectious disease,
20 substantial compliance with behavioral recommendations of
21 the infected person's health care provider or public health
22 officials to measurably limit the risk of transmission of the
23 contagious or infectious disease, or other methods generally
24 accepted by the medical profession to measurably limit the risk
25 of transmission of the contagious or infectious disease, such
26 as use of a medically indicated respiratory mask or use of a
27 prophylactic device.

28 Sec. 3. NEW SECTION. 709D.3 Intentional transmission of a
29 contagious or infectious disease.

30 1. A person commits a class "C" felony when the person
31 knows the person is infected with a contagious or infectious
32 disease and exposes an uninfected person to the contagious or
33 infectious disease with the intent that the uninfected person
34 contract the contagious or infectious disease, and the conduct
35 results in the uninfected person becoming infected with the



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1 contagious or infectious disease.

2 2. A person commits a class "D" felony when the person
3 knows the person is infected with a contagious or infectious
4 disease and exposes an uninfected person to the contagious or
5 infectious disease with the intent that the uninfected person
6 contract the contagious or infectious disease, but the conduct
7 does not result in the uninfected person becoming infected with
8 the contagious or infectious disease.

9 3. A person commits an aggravated misdemeanor when the
10 person knows the person is infected with a contagious or
11 infectious disease and exposes an uninfected person to the
12 contagious or infectious disease acting with a reckless
13 disregard as to whether the uninfected person contracts the
14 contagious or infectious disease, and the conduct results in
15 the uninfected person becoming infected with the contagious or
16 infectious disease.

17 4. The act of becoming pregnant while infected with a
18 contagious or infectious disease, continuing a pregnancy while
19 infected with a contagious or infectious disease, or declining
20 treatment for a contagious or infectious disease during
21 pregnancy shall not constitute a crime under this chapter.

22 5. Evidence that a person knows the person is infected with
23 a contagious or infectious disease and has engaged in conduct
24 that exposes others to the contagious or infectious disease,
25 regardless of the frequency of the conduct, is insufficient
26 on its own to prove the intent to transmit the contagious or
27 infectious disease.

28 6. A person does not act with the intent required pursuant
29 to subsection 1 or 2, or with the reckless disregard required
30 pursuant to subsection 3, if the person takes practical
31 means to prevent transmission, or if the person informs
32 the uninfected person that the person has a contagious
33 or infectious disease and offers to take practical means
34 to prevent transmission but that offer is rejected by the
35 uninfected person subsequently exposed to the infectious or



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1 contagious disease.

2 7. It is an affirmative defense to a charge under this
3 section if the person exposed to the contagious or infectious
4 disease knew that the infected person was infected with the
5 contagious or infectious disease at the time of the exposure
6 and consented to exposure with that knowledge.

7 Sec. 4. Section 141A.9, subsection 2, paragraph i, Code
8 2014, is amended to read as follows:

9 *i.* Pursuant to sections 915.42 and 915.43, to a convicted or
10 alleged sexual assault offender; the physician or other health
11 care provider who orders the test of a convicted or alleged
12 offender; the victim; the parent, guardian, or custodian of the
13 victim if the victim is a minor; the physician of the victim
14 if requested by the victim; the victim counselor or person
15 requested by the victim to provide counseling regarding the
16 HIV-related test and results; the victim's spouse; persons
17 with whom the victim has engaged in vaginal, anal, or oral
18 intercourse subsequent to the sexual assault; members of the
19 victim's family within the third degree of consanguinity; and
20 the county attorney who ~~may use the results as evidence in the~~
21 ~~prosecution of sexual assault under chapter 915, subchapter V,~~
22 ~~or prosecution of the offense of criminal transmission of HIV~~
23 ~~under chapter 709C~~ filed the petition for HIV-related testing
24 under section 915.42. For the purposes of this paragraph,
25 "*victim*" means victim as defined in section 915.40.

26 Sec. 5. Section 692A.101, subsection 1, paragraph a,
27 subparagraph (9), Code 2014, is amended by striking the
28 subparagraph.

29 Sec. 6. Section 692A.102, subsection 1, paragraph c,
30 subparagraph (23), Code 2014, is amended by striking the
31 subparagraph.

32 Sec. 7. Section 915.43, subsections 4 and 5, Code 2014, are
33 amended to read as follows:

34 4. Results of a test performed under this subchapter,
35 except as provided in subsection 13, shall be disclosed only



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1 to the physician or other practitioner who orders the test of
2 the convicted or alleged offender; the convicted or alleged
3 offender; the victim; the victim counselor or person requested
4 by the victim to provide counseling regarding the HIV-related
5 test and results; the physician of the victim if requested by
6 the victim; the parent, guardian, or custodian of the victim,
7 if the victim is a minor; and the county attorney who filed
8 the petition for HIV-related testing under this chapter, ~~who~~
9 ~~may use the results to file charges of criminal transmission~~
10 ~~of HIV under chapter 709C.~~ Results of a test performed under
11 this subchapter shall not be disclosed to any other person
12 without the written informed consent of the convicted or
13 alleged offender. A person to whom the results of a test
14 have been disclosed under this subchapter is subject to the
15 confidentiality provisions of section 141A.9, and shall not
16 disclose the results to another person except as authorized by
17 section 141A.9, subsection 2, paragraph "i".

18 5. If testing is ordered under this subchapter, the court
19 shall also order periodic testing of the convicted offender
20 during the period of incarceration, probation, or parole or of
21 the alleged offender during a period of six months following
22 the initial test if the physician or other practitioner who
23 ordered the initial test of the convicted or alleged offender
24 certifies that, based upon prevailing scientific opinion
25 regarding the maximum period during which the results of an
26 HIV-related test may be negative for a person after being
27 HIV-infected, additional testing is necessary to determine
28 whether the convicted or alleged offender was HIV-infected
29 at the time the sexual assault or alleged sexual assault was
30 perpetrated. The results of the test conducted pursuant to
31 this subsection shall be released only to the physician or
32 other practitioner who orders the test of the convicted or
33 alleged offender, the convicted or alleged offender, the victim
34 counselor or person requested by the victim to provide the
35 counseling regarding the HIV-related test and results who shall

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1 disclose the results to the petitioner, the physician of the
2 victim, if requested by the victim, and the county attorney
3 who may use the results as evidence in the prosecution of the
4 sexual assault or in the prosecution of the offense of criminal
5 transmission of HIV under chapter 709C filed the petition for
6 HIV-related testing under section 915.42.

7 Sec. 8. REPEAL. Chapter 709C, Code 2014, is repealed.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill creates the "Contagious or Infectious Disease
12 Transmission Act" and establishes crimes relating to the
13 intentional or reckless transmission of a contagious or
14 infectious disease.

15 The bill provides that a person commits a class "C" felony
16 when the person knows the person is infected with a contagious
17 or infectious disease and exposes an uninfected person to
18 the contagious or infectious disease with the intent that
19 the uninfected person contract the contagious or infectious
20 disease, and the conduct results in the uninfected person
21 becoming infected with the contagious or infectious disease.
22 A class "C" felony is punishable by confinement for no more
23 than 10 years and a fine of at least \$1,000 but not more than
24 \$10,000.

25 A person commits a class "D" felony when the person knows
26 that the person has a contagious or infectious disease and
27 exposes an uninfected person to the contagious or infectious
28 disease with the intent that the uninfected person contract
29 the contagious or infectious disease, but the conduct does
30 not result in the uninfected person becoming infected with
31 the contagious or infectious disease. A class "D" felony is
32 punishable by confinement for no more than five years and a
33 fine of at least \$750 but not more than \$7,500.

34 A person commits an aggravated misdemeanor when the person
35 knows the person is infected with a contagious or infectious

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1 disease and exposes an uninfected person to the contagious
2 or infectious disease acting with a reckless disregard as
3 to whether the uninfected person contracts the contagious
4 or infectious disease, and the conduct results in the
5 uninfected person becoming infected with the contagious or
6 infectious disease. An aggravated misdemeanor is punishable by
7 confinement for no more than two years and a fine of at least
8 \$625 but not more than \$6,250.

9 The bill provides that becoming pregnant while infected with
10 a contagious or infectious disease, continuing a pregnancy
11 while infected with a contagious or infectious disease, or
12 declining treatment for a contagious or infectious disease
13 during pregnancy does not constitute a crime under the bill.

14 The bill also specifies that evidence that a person knows the
15 person is infected with a contagious or infectious disease and
16 has engaged in conduct that exposes others to the contagious or
17 infectious disease, regardless of the frequency of the conduct,
18 is insufficient on its own to prove the intent to transmit
19 the contagious or infectious disease. Additionally, the bill
20 specifies that a person does not act with the intent or the
21 reckless disregard required to commit the crimes specified
22 under the bill if the person takes practical means to prevent
23 transmission, or if the person informs the uninfected person of
24 the person's contagious or infectious disease status and offers
25 to take practical means to prevent transmission but that offer
26 is rejected by the uninfected person subsequently exposed to
27 the infectious or contagious disease. Under the bill, it is an
28 affirmative defense to a charge under the bill if the person
29 exposed to the contagious or infectious disease knew that the
30 infected person was infected with the contagious or infectious
31 disease at the time of the exposure and consented to exposure
32 with that knowledge.

33 The bill also repeals the provision establishing the knowing
34 transmission of the human immunodeficiency virus (HIV) as
35 a crime under Code section 709C.1. Under current Code, a

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1 person commits criminal transmission of HIV if the person,
2 knowing that the person's human immunodeficiency virus status
3 is positive, engages in intimate contact with another person;
4 transfers, donates, or provides the person's blood, tissue,
5 semen, organs, or other potentially infectious bodily fluids
6 for transfusion, transplantation, insemination, or other
7 administration to another person; or dispenses, delivers,
8 exchanges, sells, or in any other way transfers to another
9 person any nonsterile intravenous or intramuscular drug
10 paraphernalia previously used by the person infected with the
11 human immunodeficiency virus. Under current law, criminal
12 transmission of the human immunodeficiency virus is a class "B"
13 felony, which is punishable by confinement for no more than 25
14 years. The bill also makes conforming amendments throughout
15 the Code to eliminate references to the repealed Code section.



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Senate File 2087 - Introduced

SENATE FILE 2087
BY McCOY

A BILL FOR

1 An Act concerning the issuance of temporary visitor driver's
2 licenses to certain foreign nationals.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.1, Code 2014, is amended by adding
2 the following new subsection:
3 NEW SUBSECTION. 14A. "*Consular identification document*"
4 means an official identification card issued by a foreign
5 government that meets all of the following requirements:
6 *a.* The identification card is issued through the foreign
7 government's consular offices for the purpose of identifying
8 a foreign national who is living outside the foreign
9 jurisdiction.
10 *b.* The foreign government requires the foreign national
11 to provide proof of nationality that is within the foreign
12 government's jurisdiction and proof of identity to obtain the
13 identification card.
14 *c.* The foreign government includes all of the following
15 security features in the identification card:
16 (1) A unique identification number.
17 (2) An optically variable feature such as a hologram or
18 color-shifting inks.
19 (3) An ultraviolet image.
20 (4) Encoded information.
21 (5) Machine-readable technology.
22 (6) Microprinting.
23 (7) Secure laminate.
24 (8) Integrated photograph and signature.
25 *d.* The identification card includes on its face the name of
26 the individual to whom it is issued, the date of issuance, the
27 date of expiration, the name of the issuing consular office or
28 foreign government, and the unique identification number. The
29 identification card must include an English translation of the
30 data fields.
31 *e.* The issuing consular office or foreign government has
32 filed with the department a copy of the foreign government's
33 standard consular identification document and a certification
34 of the procedures that are used to satisfy the requirements of
35 paragraphs "*b*" and "*c*".



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1 Sec. 2. NEW SECTION. 321.182A Temporary visitor driver's
2 license.

3 1. The department may issue a temporary visitor driver's
4 license, valid for a period of two years, to a person who
5 is a resident of this state and is otherwise eligible for a
6 driver's license but does not present a social security number
7 or documentation of authorized presence issued by the United
8 States citizenship and immigration services.

9 2. In addition to other documents accepted by the department
10 under administrative rules to establish the identity and
11 date of birth of an applicant for a driver's license, if the
12 applicant is applying for a temporary visitor driver's license
13 under this section, the department may accept a valid unexpired
14 passport from the applicant's country of citizenship or a valid
15 unexpired consular identification document.

16 3. An applicant for a temporary visitor driver's license
17 who is under eighteen years of age at the time of application
18 is subject to the provisions of sections 321.177, subsection
19 1, and section 321.184.

20 4. Except as otherwise provided by law, a person issued a
21 temporary visitor driver's license is subject to the provisions
22 of this Code and administrative rules to the same extent as a
23 person issued any other driver's license under this chapter,
24 including but not limited to financial liability coverage
25 requirements under section 321.20B and examination requirements
26 under section 321.186.

27 5. A peace officer shall not detain, arrest, penalize, or
28 discriminate against a person based solely on the person's
29 presentation of a temporary visitor driver's license.

30 6. For purposes of this chapter, a temporary visitor
31 driver's license constitutes proof of identity to the same
32 extent as any other driver's license issued pursuant to this
33 chapter. However, a temporary visitor driver's license shall
34 not be used to determine voting eligibility or eligibility for
35 any license issued or benefit or service provided by this state



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1 or a political subdivision of this state.

2 7. The department may adopt rules as necessary to implement
3 this section, including but not limited to rules regarding the
4 design and content of the temporary visitor driver's license;
5 alternative identifying numbers to be used by the department
6 to establish the identity of an applicant, including a federal
7 individual taxpayer identification number; the issuance of
8 temporary visitor driver's instruction permits; and appropriate
9 fees to be charged for issuance of temporary visitor driver's
10 licenses and instruction permits.

11 8. Notwithstanding section 321.11 or any other provision
12 of law to the contrary, in any disclosure pertaining to
13 a licensee, the department shall not distinguish between
14 temporary visitor driver's license status and any other
15 licensure status.

16 Sec. 3. Section 321.189, Code 2014, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 9. *Temporary visitor driver's license.*

19 A temporary visitor driver's license shall be of the same
20 design as a driver's license of the same class, except for
21 such minimal changes as are necessary to comply with the
22 requirements of the federal REAL ID Act of 2005, Pub. L. No.
23 109-13, §202(d)(11).

24 Sec. 4. Section 321.196, subsection 1, Code 2014, is amended
25 to read as follows:

26 1. Except as otherwise provided, if the licensee is between
27 the ages of seventeen years eleven months and seventy-two years
28 on the date of issuance of the license, a driver's license,
29 other than an instruction permit, chauffeur's instruction
30 permit, or commercial driver's instruction permit issued under
31 section 321.180, expires eight years from the licensee's
32 birthday anniversary occurring in the year of issuance, but
33 not to exceed the licensee's seventy-fourth birthday. If the
34 licensee is under the age of seventeen years eleven months
35 or age seventy-two or over, the license is effective for a



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1 period of two years from the licensee's birthday anniversary
2 occurring in the year of issuance. A licensee whose license is
3 restricted due to vision or other physical deficiencies may be
4 required to renew the license every two years. If a licensee
5 is a foreign national who is temporarily present in this state,
6 the license shall be issued only for the length of time the
7 foreign national is authorized to be present as verified by
8 the department, not to exceed two years. A temporary visitor
9 driver's license issued pursuant to section 321.182A shall be
10 issued for two years and may be renewed.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill provides for the issuance of a temporary
15 visitor driver's license to a person who presents a consular
16 identification document as proof of identification and date of
17 birth.

18 The bill defines "consular identification document" as an
19 official identification card issued by a foreign government,
20 through the foreign government's consular offices, for the
21 purpose of identifying a foreign national who is living
22 outside the foreign jurisdiction. The definition specifies
23 security attributes that a consular identification document
24 must have and content the document must contain. The document
25 must include an English translation of the data fields. The
26 definition also requires that a copy of the standard document
27 issued by the consular office or foreign government be filed
28 with the department of transportation along with certification
29 of procedures used to ascertain the identity of a person
30 to whom a consular identification document is issued and
31 procedures used to satisfy the specified security requirements
32 of the document.

33 Under the bill, the department of transportation may
34 issue a temporary visitor driver's license to a person who is
35 otherwise qualified for a driver's license but does not present

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1 a social security number or document of authorized presence
2 issued by the United States citizenship and immigration
3 services. The department may accept an unexpired passport from
4 the applicant's country of citizenship or a valid unexpired
5 consular identification document as proof of identification
6 and date of birth. The bill specifies that a person with a
7 temporary visitor driver's license is subject to all of the
8 Code provisions and administrative rules applicable to a person
9 with any other type of driver's license, including provisions
10 relating to drivers under 18 years of age, examination
11 requirements, and financial liability coverage requirements.
12 For purposes of Code chapter 321 relating to the regulation
13 of motor vehicles and motor vehicle operators, a temporary
14 visitor driver's license constitutes proof of identification
15 to the same extent as any other driver's license. However,
16 the license shall not be used to determine voting eligibility
17 or eligibility for any license issued or benefit or service
18 provided by this state or a political subdivision of this
19 state. The design of the temporary visitor driver's license
20 shall be the same as another driver's license of the same
21 class, except that the department may make minimal changes as
22 necessary to comply with requirements of the federal REAL ID
23 Act of 2005 relating to driver's licenses that may not be used
24 for federal purposes according to that Act. The bill provides
25 that a temporary visitor driver's license shall be valid for
26 two years and may be renewed. The department of transportation
27 is prohibited from distinguishing between temporary visitor
28 driver's license status and any other licensure status in any
29 disclosure pertaining to a licensee. The department may adopt
30 rules relating to the issuance of temporary visitor driver's
31 licenses and instruction permits, including providing for
32 appropriate license fees.



Iowa General Assembly
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Senate File 2088 - Introduced

SENATE FILE 2088

BY ZAUN

(COMPANION TO HF 2066 BY
HAGENOW)

A BILL FOR

- 1 An Act providing an exemption from the state sales tax for
- 2 investment counseling services.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5738XS (1) 85
mm/sc



Iowa General Assembly
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S.F. 2088

1 Section 1. Section 423.2, subsection 6, paragraph a, Code
2 2014, is amended to read as follows:
3 a. The sales price of any of the following enumerated
4 services is subject to the tax imposed by subsection
5 5: alteration and garment repair; armored car; vehicle
6 repair; battery, tire, and allied; ~~investment counseling;~~
7 service charges of all financial institutions, excluding
8 service charges for investment counseling; barber and beauty;
9 boat repair; vehicle wash and wax; campgrounds; carpentry;
10 roof, shingle, and glass repair; dance schools and dance
11 studios; dating services; dry cleaning, pressing, dyeing, and
12 laundering; electrical and electronic repair and installation;
13 excavating and grading; farm implement repair of all kinds;
14 flying service; furniture, rug, carpet, and upholstery
15 repair and cleaning; fur storage and repair; golf and country
16 clubs and all commercial recreation; gun and camera repair;
17 house and building moving; household appliance, television,
18 and radio repair; janitorial and building maintenance or
19 cleaning; jewelry and watch repair; lawn care, landscaping,
20 and tree trimming and removal; limousine service, including
21 driver; machine operator; machine repair of all kinds; motor
22 repair; motorcycle, scooter, and bicycle repair; oilers and
23 lubricators; office and business machine repair; painting,
24 papering, and interior decorating; parking facilities; pay
25 television; pet grooming; pipe fitting and plumbing; wood
26 preparation; executive search agencies; private employment
27 agencies, excluding services for placing a person in employment
28 where the principal place of employment of that person is to
29 be located outside of the state; reflexology; security and
30 detective services, excluding private security and detective
31 services furnished by a peace officer with the knowledge and
32 consent of the chief executive officer of the peace officer's
33 law enforcement agency; sewage services for nonresidential
34 commercial operations; sewing and stitching; shoe repair
35 and shoeshine; sign construction and installation; storage

LSB 5738XS (1) 85

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mm/sc

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1 of household goods, mini-storage, and warehousing of raw
2 agricultural products; swimming pool cleaning and maintenance;
3 tanning beds or salons; taxidermy services; telephone
4 answering service; test laboratories, including mobile testing
5 laboratories and field testing by testing laboratories, and
6 excluding tests on humans or animals; termite, bug, roach, and
7 pest eradicators; tin and sheet metal repair; transportation
8 service consisting of the rental of recreational vehicles or
9 recreational boats, or the rental of motor vehicles subject
10 to registration which are registered for a gross weight of
11 thirteen tons or less for a period of sixty days or less, or
12 the rental of aircraft for a period of sixty days or less;
13 Turkish baths, massage, and reducing salons, excluding services
14 provided by massage therapists licensed under chapter 152C;
15 water conditioning and softening; weighing; welding; well
16 drilling; wrapping, packing, and packaging of merchandise other
17 than processed meat, fish, fowl, and vegetables; wrecking
18 service; wrecker and towing.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill exempts the furnishing of investment counseling
23 services from the state sales tax.

24 By operation of Code section 423.6, an item exempt from the
25 imposition of the sales tax is also exempt from the use tax
26 imposed in Code section 423.5.



Iowa General Assembly
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Senate File 2089 - Introduced

SENATE FILE 2089
BY BOWMAN

A BILL FOR

1 An Act concerning the hybrid formula for calculating benefits
2 under the Iowa public employees' retirement system.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5035XS (3) 85
ec/sc



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S.F. 2089

1 Section 1. Section 97B.49D, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. An active or inactive vested member,
4 who is or has been employed in both special service and regular
5 service, who retires on or after July 1, 2014, who is vested by
6 service, who has at least twenty-two years of special service
7 or thirty years of regular service, and who at the time of
8 retirement is at least fifty-five years of age, may elect
9 to receive, in lieu of the receipt of a monthly retirement
10 allowance as calculated pursuant to subsection 1 or sections
11 97B.49A through 97B.49C, a monthly retirement allowance
12 calculated as follows:

13 a. For an active or inactive vested member with at least
14 thirty years of regular service, years of special service
15 shall be considered years of regular service for purposes of
16 calculating a monthly retirement allowance pursuant to section
17 97B.49A.

18 b. For an active or inactive vested member with at least
19 twenty-two years of special service in a position defined in
20 section 97B.49B, years of regular service or years of special
21 service in a position defined in section 97B.49C shall be
22 considered years of special service in a position defined
23 in section 97B.49B for purposes of calculating a monthly
24 retirement allowance pursuant to section 97B.49B.

25 c. For an active or inactive vested member with at least
26 twenty-two years of special service in a position defined in
27 section 97B.49C, years of regular service or years of special
28 service in a position defined in section 97B.49B shall be
29 considered years of special service in a position defined
30 in section 97B.49C for purposes of calculating a monthly
31 retirement allowance pursuant to section 97B.49C.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill concerns the Iowa public employees' retirement

LSB 5035XS (3) 85
ec/sc

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S.F. 2089

1 system (IPERS) and provides an additional method of calculating
2 a member's monthly retirement allowance using the hybrid
3 formula under Code section 97B.49D. The bill provides that
4 a member with at least 22 years of special service in a
5 position defined in Code section 97B.49B, at least 22 years of
6 special service in a position defined in Code section 97B.49C,
7 or at least 30 years of regular service, can have their
8 retirement allowance calculated as if years of service not
9 within the applicable category categorized as years of service
10 in the position with at least 22 or 30 years of service,
11 as applicable, may be counted as years of service in that
12 category. Under current law, these members are not eligible to
13 use the hybrid formula.



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Senate File 2090 - Introduced

SENATE FILE 2090
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 2009)

A BILL FOR

- 1 An Act establishing a lyme disease task force.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5331SV (2) 85
ad/nh



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S.F. 2090

1 Section 1. LYME DISEASE TASK FORCE AND REPORT.

2 1. The department of public health shall establish and

3 facilitate a task force to examine the prevalence and treatment

4 of chronic lyme disease in the state.

5 2. The membership of the task force shall include but is not

6 limited to the following:

7 a. A representative of the department of public health.

8 b. A representative of the board of medicine.

9 c. A representative of the Iowa medical society.

10 d. A representative from the university of Iowa hospitals

11 and clinics.

12 e. An advocate concerned about chronic lyme disease.

13 f. Other members as the department of public health deems

14 necessary.

15 3. The task force shall discuss the prevalence of lyme

16 disease including chronic lyme disease in the state, the

17 appropriate treatment of lyme disease including chronic lyme

18 disease, patient methodologies, studies on the effectiveness

19 of various treatments for chronic lyme disease, legislative

20 proposals concerning lyme disease or chronic lyme disease,

21 board of medicine actions concerning lyme disease or chronic

22 lyme disease, any difficulty in diagnosing persons with chronic

23 lyme disease in the state, the availability of treatment

24 options for persons with chronic lyme disease in the state, and

25 other topics deemed appropriate by the department of public

26 health. The task force shall focus primarily on chronic lyme

27 disease.

28 4. The task force shall develop recommendations concerning

29 tracking of chronic lyme disease, appropriate care protocols

30 for chronic lyme disease, ways to promote public awareness

31 of chronic lyme disease, availability of diagnosis tools and

32 treatment options for persons with chronic lyme disease in the

33 state, and other recommendations deemed appropriate by the

34 department of public health. The task force shall include cost

35 projections for all recommendations.



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1 5. The task force shall, by December 15, 2014, submit a
2 report of its findings and recommendations to the governor, the
3 general assembly, and the department of public health.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill requires the department of public health (DPH) to
8 establish and facilitate a task force concerning lyme disease.
9 The task force shall discuss the prevalence, treatment,
10 patient methodologies, legislative proposals, and board of
11 medicine actions concerning lyme disease and chronic lyme
12 disease. The bill requires the task force to discuss any
13 difficulty in diagnosing and availability of treatment of
14 persons with chronic lyme disease. The bill also requires the
15 task force to develop recommendations for tracking the disease,
16 appropriate care protocols, and public awareness of chronic
17 lyme disease. The bill also requires the recommendations to
18 address the availability of diagnosis tools and treatment
19 options for persons with chronic lyme disease in the state.
20 The bill directs the task force to submit its findings and
21 recommendations to the governor, general assembly, and the
22 department of public health by December 15, 2014.



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Senate Study Bill 3128 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act relating to sex offender registry requirements for
2 juveniles.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5160XC (6) 85
jm/rj



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1 Section 1. Section 232.54, subsection 1, paragraph i, Code
2 2014, is amended to read as follows:

3 i. With respect to a dispositional order requiring a
4 child to register as a sex offender pursuant to chapter 692A,
5 the juvenile court shall determine under section 692A.103,
6 subsection 5, whether the child shall remain on the sex
7 offender registry prior to termination of the dispositional
8 order for the offense requiring registration and the entry
9 of any order discharging the offender from juvenile court
10 supervision for the offense requiring registration.

11 Sec. 2. Section 692A.103, subsections 3, 4, 5, and 6, Code
12 2014, are amended to read as follows:

13 3. A juvenile adjudicated delinquent for an offense that
14 requires registration shall ~~be required to~~ register as required
15 in this chapter unless the juvenile court, upon a motion
16 filed by the juvenile under subsection 5, permanently waives,
17 modifies, or temporarily suspends the requirement and finds
18 that the person should not be required to register as specified
19 under this chapter.

20 4. Notwithstanding ~~subsections 3 and~~ subsection 5, a
21 juvenile fourteen years of age or older at the time the
22 offense was committed shall be required to register if
23 the adjudication was for an offense committed by force or
24 the threat of serious violence, by rendering the victim
25 unconscious, or by involuntary drugging of the victim. At the
26 time of adjudication the judge shall make a determination as
27 to whether the offense was committed by force or the threat of
28 serious violence, by rendering the victim unconscious, or by
29 involuntary drugging of the victim.

30 5. ~~If a juvenile is required to register pursuant to~~
31 ~~subsection 3, the~~ The juvenile court may, upon motion of the
32 juvenile, and after reasonable notice to the parties and
33 hearing, ~~modify or suspend~~ permanently waive the registration
34 requirements, modify the duration of registration under section
35 692A.106, or temporarily suspend the registration requirements

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jm/rj

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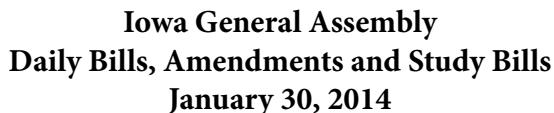
S.F. _____

1 pursuant to paragraph "b", if good cause for the waiver,
2 modification, or suspension is shown.

3 a. The motion of the juvenile to waive, modify, or
4 temporarily suspend the registration requirements shall be
5 made and the hearing and final order shall occur prior to
6 the discharge of the juvenile from the jurisdiction of the
7 juvenile court for the sex offense that requires registration
8 the termination of the dispositional order for the offense
9 requiring registration and the entry of any order discharging
10 the offender from juvenile court supervision for the offense
11 requiring registration. Any subsequent motions to modify the
12 sex offender registry requirements shall be made in district
13 court pursuant to section 692A.128.

14 b. (1) If at the time of the hearing on the motion the
15 juvenile is participating in or has been ordered to participate
16 in an appropriate outpatient treatment program for juvenile
17 sex offenders, or if the juvenile has successfully completed
18 an appropriate outpatient or in-patient treatment program
19 for juvenile sex offenders and remains under juvenile court
20 supervision for the offense requiring registration, the
21 juvenile court may enter orders temporarily suspending the
22 requirement that the juvenile register and may defer entry of
23 a final order on the matter until such time that the juvenile
24 has completed or been discharged from the outpatient treatment
25 program on the registration requirements as provided in
26 subparagraph (2).

27 c. (2) Final orders A final order on the juvenile's motion
28 to permanently waive the registration requirements or modify
29 the duration of registration under section 692A.106 shall then
30 be entered within thirty days from the date of the juvenile's
31 completion or discharge from outpatient treatment prior to
32 the termination of the dispositional order for the offense
33 requiring registration and the entry of any order discharging
34 the offender from juvenile court supervision for the offense
35 requiring registration.





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1 to register as a sex offender to register, unless upon motion
2 by the juvenile, the court permanently waives, modifies, or
3 temporarily suspends the sex offender registration requirement.
4 Under current law, a juvenile adjudicated delinquent for
5 an offense that requires the juvenile to register as a sex
6 offender may have the registration requirement modified or
7 suspended by the court or the juvenile may file a motion to
8 have the registration requirement modified or suspended after
9 the court makes the initial determination that the juvenile
10 register as a sex offender.

11 The bill specifies that the court may permanently waive,
12 modify the duration of registration, or temporarily suspend the
13 requirements, if good cause for the waiver, modification, or
14 suspension is shown. Current law specifies that the court may
15 modify or suspend the registration requirements.

16 The bill specifies that a juvenile required to register
17 as a sex offender is entitled to only file one motion under
18 Code section 692A.103(5) to permanently waive, modify, or
19 temporarily suspend the registration requirements. The bill
20 further specifies that any subsequent motions to modify the sex
21 offender registry requirements shall be made in district court
22 pursuant to Code section 692A.128.

23 If the juvenile files a motion to waive, modify, or
24 temporarily suspend the registration requirements, and the
25 juvenile has been ordered to participate in an appropriate
26 outpatient treatment program for juvenile sex offenders or
27 the juvenile has successfully completed an outpatient or
28 in-patient treatment program for juvenile sex offenders and
29 remains under juvenile court supervision for the offense
30 requiring registration, the bill allows the court to enter a
31 preliminary order that temporarily suspends the registration
32 requirements. Under current law, if the juvenile files the
33 motion and the juvenile is participating in an appropriate
34 outpatient treatment program for juvenile sex offenders, the
35 court may enter a preliminary order that temporarily suspends

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jm/rj

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1 the registration requirements.

2 After temporarily suspending the registration requirements,
3 the bill authorizes the court to delay entry of a final order
4 on the juvenile's motion to permanently waive the registration
5 requirements or modify the duration of registration, until
6 prior to the termination of the dispositional order for the
7 offense requiring registration and the entry of any order
8 discharging the offender from juvenile court supervision for
9 the offense requiring registration.

10 Under current law and the bill, a juvenile 14 years of
11 age or older at the time the offense was committed and
12 adjudicated for a sex offense committed by force or the threat
13 of serious violence, by rendering the victim unconscious,
14 or by involuntary drugging of the victim, is ineligible to
15 file a motion to waive, modify, or temporarily suspend the
16 registration requirements.



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Senate Study Bill 3129 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED ECONOMIC
DEVELOPMENT AUTHORITY BILL)

A BILL FOR

1 An Act relating to the administration of programs by the
2 economic development authority by modifying the high quality
3 jobs program, creating a workforce housing tax incentives
4 program and making penalties applicable, and repealing the
5 enterprise zone program, and including effective date and
6 applicability provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5320XD (9) 85
mm/sc



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1 DIVISION I
2 HIGH QUALITY JOBS PROGRAM
3 Section 1. Section 15.327, Code 2014, is amended by adding
4 the following new subsections:
5 NEW SUBSECTION. 3A. "*Brownfield site*" means the same as
6 defined in section 15.291.
7 NEW SUBSECTION. 12A. "*Grayfield site*" means the same as
8 defined in section 15.291.
9 NEW SUBSECTION. 17A. "*Project*" means an activity or set
10 of activities directly related to the start-up, location,
11 modernization, or expansion of a business, and proposed
12 in an application by a business, that will result in the
13 accomplishment of the goals of the program.
14 Sec. 2. Section 15.327, subsection 18, Code 2014, is amended
15 to read as follows:
16 18. "*Project completion assistance*" means financial
17 assistance or technical assistance provided to an eligible
18 business in order to facilitate the ~~start-up, location, or~~
19 ~~expansion of the business~~ completion of a project in this state
20 and provided in an expedient manner to ensure the successful
21 completion of the ~~start-up, location, or expansion~~ project.
22 Sec. 3. Section 15.329, subsection 1, paragraph a, Code
23 2014, is amended to read as follows:
24 a. If the qualifying investment is ten million dollars or
25 more, the community has approved by ordinance or resolution the
26 ~~start-up, location, or expansion of the business~~ project for
27 the purpose of receiving the benefits of this part.
28 Sec. 4. Section 15.331A, subsection 1, Code 2014, is amended
29 to read as follows:
30 1. The eligible business shall be entitled to a refund
31 of the sales and use taxes paid under chapter 423 for gas,
32 electricity, water, or sewer utility services, goods, wares, or
33 merchandise, or on services rendered, furnished, or performed
34 to or for a contractor or subcontractor and used in the
35 fulfillment of a written contract relating to the construction



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1 or equipping of a facility that is part of a project of the
2 eligible business. Taxes attributable to intangible property
3 and furniture and furnishings shall not be refunded. However,
4 an eligible business shall be entitled to a refund for taxes
5 attributable to racks, shelving, and conveyor equipment to be
6 used in a warehouse or distribution center subject to section
7 15.331C.

8 Sec. 5. Section 15.332, subsection 1, Code 2014, is amended
9 to read as follows:

10 1. The community may exempt from taxation all or a portion
11 of the actual value added by improvements to real property
12 directly related to new jobs created by the ~~location or~~
13 ~~expansion of an eligible business under the program project~~
14 and used in the operations of the eligible business. The
15 exemption may be allowed for a period not to exceed twenty
16 years beginning the year the improvements are first assessed
17 for taxation.

18 Sec. 6. Section 15.333, subsection 1, Code 2014, is amended
19 to read as follows:

20 1. An eligible business may claim a tax credit equal to a
21 percentage of the new investment directly related to new jobs
22 created or retained by the ~~location or expansion of an eligible~~
23 ~~business under the program project~~. The tax credit shall be
24 amortized equally over five calendar years. The tax credit
25 shall be allowed against taxes imposed under chapter 422,
26 division II, III, or V, and against the moneys and credits tax
27 imposed in section 533.329. If the business is a partnership,
28 S corporation, limited liability company, cooperative organized
29 under chapter 501 and filing as a partnership for federal tax
30 purposes, or estate or trust electing to have the income taxed
31 directly to the individual, an individual may claim the tax
32 credit allowed. The amount claimed by the individual shall
33 be based upon the pro rata share of the individual's earnings
34 of the partnership, S corporation, limited liability company,
35 cooperative organized under chapter 501 and filing as a



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1 partnership for federal tax purposes, or estate or trust. The
2 percentage shall be determined as provided in section 15.335A.
3 Any tax credit in excess of the tax liability for the tax year
4 may be credited to the tax liability for the following seven
5 years or until depleted, whichever occurs first.

6 Sec. 7. Section 15.333, subsection 2, unnumbered paragraph
7 1, Code 2014, is amended to read as follows:

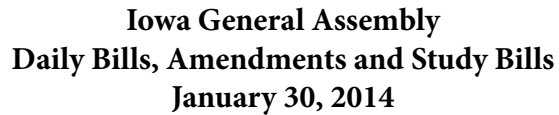
8 For purposes of this subsection, *"new investment directly*
9 *related to new jobs created by the location or expansion of an*
10 *eligible business under the program project"* means the cost
11 of machinery and equipment, as defined in section 427A.1,
12 subsection 1, paragraphs "e" and "j", purchased for use in
13 the operation of the eligible business, the purchase price
14 of which has been depreciated in accordance with generally
15 accepted accounting principles, the purchase price of real
16 property and any buildings and structures located on the real
17 property, and the cost of improvements made to real property
18 which is used in the operation of the eligible business. *"New*
19 *investment directly related to new jobs created by the location*
20 *or expansion of an eligible business under the program project"*
21 also means the annual base rent paid to a third-party developer
22 by an eligible business for a period not to exceed ten years,
23 provided the cumulative cost of the base rent payments for that
24 period does not exceed the cost of the land and the third-party
25 developer's costs to build or renovate the building for the
26 eligible business. The eligible business shall enter into a
27 lease agreement with the third-party developer for a minimum
28 of five years. If, however, within five years of purchase,
29 the eligible business sells, disposes of, razes, or otherwise
30 renders unusable all or a part of the land, buildings, or other
31 existing structures for which tax credit was claimed under this
32 section, the tax liability of the eligible business for the
33 year in which all or part of the property is sold, disposed of,
34 razed, or otherwise rendered unusable shall be increased by one
35 of the following amounts:

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mm/sc

3/28



15 For purposes of this section, "new investment directly
16 ~~related to new jobs created by the location or expansion of an~~
17 ~~eligible business under the program project~~" means the cost
18 of machinery and equipment, as defined in section 427A.1,
19 subsection 1, paragraphs "e" and "j", purchased for use in
20 the operation of the eligible business, the purchase price
21 of which has been depreciated in accordance with generally
22 accepted accounting principles, the purchase price of real
23 property and any buildings and structures located on the real
24 property, and the cost of improvements made to real property
25 which is used in the operation of the eligible business. "New
26 ~~investment directly related to new jobs created by the location~~
27 ~~or expansion of an eligible business under the program project~~"
28 also means the annual base rent paid to a third-party developer
29 by an eligible business for a period not to exceed ten years,
30 provided the cumulative cost of the base rent payments for that
31 period does not exceed the cost of the land and the third-party
32 developer's costs to build or renovate the building for the
33 eligible business. The eligible business shall enter into a
34 lease agreement with the third-party developer for a minimum
35 of five years. If, however, within five years of purchase,



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1 the eligible business sells, disposes of, razes, or otherwise
2 renders unusable all or a part of the land, buildings, or other
3 existing structures for which tax credit was claimed under this
4 section, the tax liability of the eligible business for the
5 year in which all or part of the property is sold, disposed of,
6 razed, or otherwise rendered unusable shall be increased by one
7 of the following amounts:

8 Sec. 10. Section 15.335C, Code 2014, is amended to read as
9 follows:

10 15.335C Economically Wage thresholds for brownfield and
11 grayfield projects and economically distressed areas.

12 1. a. Notwithstanding section 15.329, subsection 1,
13 paragraph "c", the authority may provide tax incentives or
14 project completion assistance under this part to ~~an eligible~~
15 a business paying for a project that will create or retain
16 jobs that will pay less than one hundred twenty percent of the
17 qualifying wage threshold if that business project is located
18 at a brownfield site, a grayfield site, or in an economically
19 distressed area.

20 b. (1) A business with a project located in an economically
21 distressed area or at a grayfield site and receiving incentives
22 or assistance pursuant to this section shall be required to pay
23 at least one hundred percent of the qualifying wage threshold
24 for jobs created or retained by the project.

25 (2) A business with a project located at a brownfield
26 site and receiving incentives or assistance pursuant to this
27 section shall be required to pay at least ninety percent of the
28 qualifying wage threshold for jobs created or retained by the
29 project.

30 2. For purposes of this section, "*economically distressed*
31 *area*" means a county that ranks among the bottom ~~twenty-five~~
32 thirty-three of all Iowa counties, as measured by one of the
33 following:

34 a. Average monthly unemployment level for the most recent
35 twelve-month period.



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1 **b.** Average annualized unemployment level for the most recent
2 five-year period.

3 Sec. 11. **APPLICABILITY.** This division of this Act applies
4 to high quality jobs program agreements entered into by an
5 eligible business and the economic development authority on or
6 after the effective date of this division of this Act, and high
7 quality jobs program agreements entered into by an eligible
8 business and the economic development authority prior to the
9 effective date of this division of this Act shall be governed
10 by sections 15.327, 15.329, 15.333, 15.333A, and 15.335C, Code
11 2014.

12 DIVISION II

13 WORKFORCE HOUSING TAX INCENTIVES PROGRAM

14 Sec. 12. Section 15.119, subsection 2, Code 2014, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. **g.** The workforce housing tax incentives
17 program administered pursuant to sections 15.351 through
18 15.356. In allocating tax credits pursuant to this subsection,
19 the authority shall not allocate more than twenty million
20 dollars for purposes of this paragraph.

21 Sec. 13. NEW SECTION. **15.351 Short title.**

22 This part shall be known and may be cited as the *“Workforce*
23 *Housing Tax Incentives Program”*.

24 Sec. 14. NEW SECTION. **15.352 Definitions.**

25 As used in this part, unless the context otherwise requires:

26 1. *“Brownfield site”* means an abandoned, idled, or
27 underutilized property where expansion or redevelopment is
28 complicated by real or perceived environmental contamination.
29 A brownfield site includes property contiguous with the site
30 on which the property is located. A brownfield site does
31 not include property which has been placed, or is proposed
32 for placement, on the national priorities list established
33 pursuant to the federal Comprehensive Environmental Response,
34 Compensation, and Liability Act, 42 U.S.C. §9601 et seq.

35 2. *“Community”* means a city or county.

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- 1 3. *"Grayfield site"* means a property meeting all of the
2 following requirements:
- 3 a. The property has been developed and has infrastructure in
4 place but the property's current use is outdated or prevents a
5 better or more efficient use of the property. Such property
6 includes vacant, blighted, obsolete, or otherwise underutilized
7 property.
- 8 b. The property's improvements and infrastructure are at
9 least twenty-five years old and one or more of the following
10 conditions exists:
- 11 (1) Thirty percent or more of a building located on the
12 property that is available for occupancy has been vacant or
13 unoccupied for a period of twelve months or more.
- 14 (2) The assessed value of the improvements on the property
15 has decreased by twenty-five percent or more.
- 16 (3) The property is currently being used as a parking lot.
- 17 (4) The improvements on the property no longer exist.
- 18 4. *"Housing business"* means a business that is a housing
19 developer, housing contractor, or nonprofit organization that
20 completes a housing project in the state.
- 21 5. *"Housing project"* means a project located in this state
22 meeting the requirements of section 15.353.
- 23 6. *"Multi-use building"* means a building whose street-level
24 ground story is used for a purpose that is other than
25 residential, and whose upper story or stories are currently
26 used for a residential purpose, or will be used for a
27 residential purpose after completion of the housing project
28 associated with the building.
- 29 7. *"Program"* means the workforce housing tax incentives
30 program administered under this part.
- 31 8. a. *"Qualifying new investment"* means costs that are
32 directly related to the acquisition, repair, rehabilitation, or
33 redevelopment of a housing project in this state.
- 34 b. *"Qualifying new investment"* includes costs that are
35 directly related to new construction of dwelling units if the



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1 new construction occurs in a distressed workforce housing
2 community.

3 *c.* The amount of costs that may be used to compute
4 "*qualifying new investment*" shall not exceed the costs used for
5 the first one hundred fifty thousand dollars of value for each
6 dwelling unit that is part of a housing project.

7 *d.* "*Qualifying new investment*" does not include the
8 following:

9 (1) The portion of the total cost of a housing project
10 that is financed by federal, state, or local government tax
11 credits, grants, forgivable loans, or other forms of financial
12 assistance that do not require repayment, excluding the tax
13 incentives provided under this part.

14 (2) If a housing project includes the rehabilitation,
15 repair, or redevelopment of an existing multi-use building,
16 the portion of the total acquisition costs of the multi-use
17 building, including a proportionate share of the total
18 acquisition costs of the land upon which the multi-use building
19 is situated, that are attributable to the street-level
20 ground story that is used for a purpose that is other than
21 residential.

22 Sec. 15. NEW SECTION. 15.353 **Housing project requirements.**

23 1. To receive workforce housing tax incentives pursuant to
24 the program, a proposed housing project shall meet all of the
25 following requirements:

26 *a.* The project includes at least one of the following:

27 (1) Four or more single-family dwelling units.

28 (2) One or more multiple dwelling unit buildings each
29 containing three or more individual dwelling units.

30 (3) Two or more dwelling units located in the upper story of
31 an existing multi-use building.

32 *b.* The project consists of any of the following:

33 (1) The rehabilitation, repair, or redevelopment of
34 dwelling units at a brownfield or grayfield site.

35 (2) The rehabilitation, repair, or redevelopment of



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1 dilapidated dwelling units.

2 (3) The rehabilitation, repair, or redevelopment of
3 dwelling units located in the upper story of an existing
4 multi-use building.

5 (4) (a) The new construction, rehabilitation, repair,
6 or redevelopment of dwelling units in a distressed workforce
7 housing community.

8 (b) The determination as to whether a community is
9 considered a distressed workforce housing community shall be
10 within the discretion of the authority after considering all
11 of the following:

12 (i) Whether or not the community has a severe housing
13 shortage relative to demand, low vacancy rates, or rising
14 housing costs combined with low unemployment.

15 (ii) The relative merits of all applications for
16 designation as a distressed workforce housing community.

17 (iii) The demand for projects applying under this
18 subparagraph compared to the demand for projects applying under
19 subparagraphs (1) through (3).

20 c. (1) Except as provided in subparagraph (2), the average
21 dwelling unit cost does not exceed two hundred thousand dollars
22 per dwelling unit.

23 (2) The average dwelling unit cost does not exceed two
24 hundred fifty thousand dollars per dwelling unit if the
25 project involves the rehabilitation, repair, redevelopment, or
26 preservation of eligible property, as that term is defined in
27 section 404A.1, subsection 2.

28 d. The dwelling units, when completed and made available
29 for occupancy, meet the United States department of housing
30 and urban development's housing quality standards and all
31 applicable local safety standards.

32 Sec. 16. NEW SECTION. 15.354 Housing project application
33 and agreement.

34 1. *Application.*

35 a. A housing business seeking workforce housing tax



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1 incentives provided in section 15.355 shall make application to
2 the authority in the manner prescribed by the authority. The
3 authority may accept applications on a continuous basis.

4 **b.** The application shall include all of the following:

5 (1) The following information establishing local
6 participation for the housing project:

7 (a) A resolution in support of the housing project by the
8 community where the housing project will be located.

9 (b) Documentation of local matching funds pledged for the
10 housing project in an amount equal to at least one thousand
11 dollars per dwelling unit, including but not limited to
12 a funding agreement between the housing business and the
13 community where the housing project will be located. For
14 purposes of this paragraph, local matching funds shall be in
15 the form of cash or cash equivalents, or in the form of a local
16 property tax exemption, rebate, refund, or reimbursement.

17 (2) A report that meets the requirements and conditions of
18 section 15.330, subsection 9.

19 (3) Information showing the total costs and funding sources
20 of the housing project sufficient to allow the authority to
21 adequately determine the financing that will be utilized for
22 the housing project, the actual cost of the dwelling units, and
23 the amount of qualifying new investment.

24 (4) Any other information deemed necessary by the authority
25 to evaluate the eligibility and financial need of the housing
26 project under the program.

27 **2. Registration.**

28 **a.** Upon review of the application, the authority may
29 register the housing project under the program. If the
30 authority registers the housing project, the authority shall
31 make a preliminary determination as to the amount of tax
32 incentives for which the housing project qualifies.

33 **b.** After registering the housing project, the authority
34 shall notify the housing business of successful registration
35 under the program. The notification shall include the amount

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1 of tax incentives under section 15.355 for which the housing
2 business has received preliminary approval and a statement
3 that the amount is a preliminary determination only. The
4 amount of tax credits included on a tax credit certificate
5 issued pursuant to this section, or a claim for refund of sales
6 and use taxes, shall be contingent upon completion of the
7 requirements in subsection 3.

8 3. *Agreement and fees.*

9 a. Upon successful registration of the housing project,
10 the housing business shall enter into an agreement with the
11 authority for the successful completion of all requirements of
12 the program.

13 b. The compliance cost fees imposed in section 15.330,
14 subsection 12, shall apply to all agreements entered into
15 under this program and shall be collected by the authority in
16 the same manner and to the same extent as described in that
17 subsection.

18 c. A housing business shall complete its housing project
19 within three years from the date the housing project is
20 registered by the authority.

21 d. Upon completion of a housing project, an audit of
22 the project, completed by an independent certified public
23 accountant licensed in this state, shall be submitted to the
24 authority.

25 e. Upon review of the audit and verification of the amount
26 of the qualifying new investment, the authority may issue a tax
27 credit certificate to the housing business stating the amount
28 of workforce housing investment tax credits under section
29 15.355 the eligible housing business may claim.

30 4. *Maximum tax incentives amount.*

31 a. The maximum aggregate amount of tax incentives that may
32 be awarded under section 15.355 to a housing business for a
33 housing project shall not exceed one million dollars.

34 b. If a housing business qualifies for a higher amount
35 of tax incentives under section 15.355 than is allowed by



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1 the limitation imposed in paragraph "a", the authority and
2 the housing business may negotiate an apportionment of the
3 reduction in tax incentives between the sales tax refund
4 provided in section 15.355, subsection 2, and the workforce
5 housing investment tax credits provided in section 15.355,
6 subsection 3, provided the total aggregate amount of tax
7 incentives after the apportioned reduction does not exceed the
8 amount in paragraph "a".

9 c. The authority shall issue tax incentives under the
10 program on a first-come, first-served basis until the maximum
11 amount of tax incentives allocated pursuant to section 15.119,
12 subsection 2, is reached. The authority shall maintain a list
13 of registered housing projects under the program so that if
14 the maximum aggregate amount of tax incentives is reached in
15 a given fiscal year, registered housing projects that were
16 completed but for which tax incentives were not issued shall
17 be placed on a wait list in the order the registered housing
18 projects were completed and shall be given priority for
19 receiving tax incentives in succeeding fiscal years.

20 5. *Termination and repayment.* The failure by a housing
21 business in completing a housing project to comply with any
22 requirement of this program or any of the terms and obligations
23 of an agreement entered into pursuant to this section may
24 result in the reduction, termination, or rescission of the
25 approved tax incentives and may subject the housing business
26 to the repayment or recapture of tax incentives claimed under
27 section 15.355. The repayment or recapture of tax incentives
28 pursuant to this section shall be accomplished in the same
29 manner as provided in section 15.330, subsection 2.

30 Sec. 17. NEW SECTION. 15.355 **Workforce housing tax**
31 **incentives.**

32 1. A housing business that has entered into an agreement
33 pursuant to section 15.354 is eligible to receive the tax
34 incentives described in subsections 2 and 3.

35 2. A housing business may claim a refund of the sales and



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1 use taxes paid under chapter 423 that are directly related
2 to a housing project. The refund available pursuant to this
3 subsection shall be as provided in section 15.331A to the
4 extent applicable for purposes of this program.

5 3. a. A housing business may claim a tax credit in
6 an amount not to exceed ten percent of the qualifying new
7 investment of a housing project.

8 b. The tax credit shall be allowed against the taxes imposed
9 in chapter 422, divisions II, III, and V, and in chapter 432,
10 and against the moneys and credits tax imposed in section
11 533.329.

12 c. An individual may claim a tax credit under this
13 subsection of a partnership, limited liability company,
14 S corporation, estate, or trust electing to have income
15 taxed directly to the individual. The amount claimed by the
16 individual shall be based upon the pro rata share of the
17 individual's earnings from the partnership, limited liability
18 company, S corporation, estate, or trust.

19 d. Any tax credit in excess of the taxpayer's liability
20 for the tax year is not refundable but may be credited to the
21 tax liability for the following five years or until depleted,
22 whichever is earlier.

23 e. (1) To claim a tax credit under this subsection, a
24 taxpayer shall include one or more tax credit certificates with
25 the taxpayer's tax return.

26 (2) The tax credit certificate shall contain the taxpayer's
27 name, address, tax identification number, the amount of the
28 credit, the name of the eligible housing business, any other
29 information required by the department of revenue, and a place
30 for the name and tax identification number of a transferee and
31 the amount of the tax credit being transferred.

32 (3) The tax credit certificate, unless rescinded by the
33 authority, shall be accepted by the department of revenue as
34 payment for taxes imposed pursuant to chapter 422, divisions
35 II, III, and V, and in chapter 432, and for the moneys and

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1 credits tax imposed in section 533.329, subject to any
2 conditions or restrictions placed by the authority upon
3 the face of the tax credit certificate and subject to the
4 limitations of this program.

5 (4) Tax credit certificates issued under section 15.354,
6 subsection 3, paragraph "e", may be transferred to any person.
7 Within ninety days of transfer, the transferee shall submit the
8 transferred tax credit certificate to the department of revenue
9 along with a statement containing the transferee's name, tax
10 identification number, and address, the denomination that each
11 replacement tax credit certificate is to carry, and any other
12 information required by the department of revenue. However,
13 tax credit certificate amounts of less than the minimum amount
14 established by rule of the authority shall not be transferable.

15 (5) Within thirty days of receiving the transferred
16 tax credit certificate and the transferee's statement, the
17 department of revenue shall issue one or more replacement tax
18 credit certificates to the transferee. Each replacement tax
19 credit certificate must contain the information required for
20 the original tax credit certificate and must have the same
21 expiration date that appeared on the transferred tax credit
22 certificate.

23 (6) A tax credit shall not be claimed by a transferee
24 under this section until a replacement tax credit certificate
25 identifying the transferee as the proper holder has been
26 issued. The transferee may use the amount of the tax credit
27 transferred against the taxes imposed in chapter 422, divisions
28 II, III, and V, and in chapter 432, and against the moneys and
29 credits tax imposed in section 533.329, for any tax year the
30 original transferor could have claimed the tax credit. Any
31 consideration received for the transfer of the tax credit shall
32 not be included as income under chapter 422, divisions II,
33 III, and V. Any consideration paid for the transfer of the tax
34 credit shall not be deducted from income under chapter 422,
35 divisions II, III, and V.

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1 *f.* For purposes of the individual and corporate income
2 taxes and the franchise tax, the increase in the basis of the
3 property that would otherwise result from the qualifying new
4 investment shall be reduced by the amount of the tax credit
5 computed under this subsection.

6 Sec. 18. NEW SECTION. 15.356 Rules.

7 The authority and the department of revenue shall adopt
8 rules as necessary for the implementation and administration
9 of this part.

10 Sec. 19. NEW SECTION. 422.11C Workforce housing investment
11 tax credit.

12 The taxes imposed under this division, less the credits
13 allowed under section 422.12, shall be reduced by a workforce
14 housing investment tax credit allowed under section 15.355,
15 subsection 3.

16 Sec. 20. Section 422.33, Code 2014, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 15. The taxes imposed under this division
19 shall be reduced by a workforce housing investment tax credit
20 allowed under section 15.355, subsection 3.

21 Sec. 21. Section 422.60, Code 2014, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 12. The taxes imposed under this division
24 shall be reduced by a workforce housing investment tax credit
25 allowed under section 15.355, subsection 3.

26 Sec. 22. NEW SECTION. 432.12G Workforce housing investment
27 tax credit.

28 The taxes imposed under this chapter shall be reduced by a
29 workforce housing investment tax credit allowed under section
30 15.355, subsection 3.

31 Sec. 23. Section 533.329, subsection 2, Code 2014, is
32 amended by adding the following new paragraph:

33 NEW PARAGRAPH. *k.* The moneys and credits tax imposed under
34 this section shall be reduced by a workforce housing investment
35 tax credit allowed under section 15.355, subsection 3.

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1 DIVISION III
2 TERMINATION AND TRANSITION OF ENTERPRISE ZONE PROGRAM
3 Sec. 24. INVESTMENT TAX CREDITS ISSUED TO ELIGIBLE
4 HOUSING BUSINESSES UNDER THE ENTERPRISE ZONE PROGRAM —
5 TRANSFERABILITY. Notwithstanding the requirement in section
6 15E.193B, subsection 8, Code 2014, that not more than three
7 million dollars worth of tax credits for housing developments
8 located in a brownfield site or a blighted area shall be
9 eligible for transfer in a calendar year unless the eligible
10 housing business is also eligible for low-income housing tax
11 credits authorized under section 42 of the Internal Revenue
12 Code, and notwithstanding the requirement in section 15E.193B,
13 subsection 8, Code 2014, that the economic development
14 authority shall not approve more than one million five hundred
15 thousand dollars in tax credit certificates for transfer to
16 any one eligible housing business located on a brownfield
17 site or in a blighted area in a calendar year, all investment
18 tax credits determined under section 15E.193B, subsection 6,
19 paragraph "a", Code 2014, for housing developments located on
20 a brownfield site or in a blighted area may be approved by
21 the economic development authority for transfer in calendar
22 year 2014, or any subsequent calendar year, provided the
23 eligible housing business was awarded the investment tax credit
24 before the effective date of this section of this division
25 of this Act and notifies the economic development authority,
26 in writing, before July 1, 2014, of its intent to transfer
27 such tax credits, and provided the eligible housing business
28 and the related housing development meet all other applicable
29 requirements under section 15E.193B, Code 2014.
30 Sec. 25. Section 2.48, subsection 3, paragraph e,
31 subparagraph (9), Code 2014, is amended by striking the
32 subparagraph.
33 Sec. 26. Section 15.106B, subsection 5, paragraph c, Code
34 2014, is amended to read as follows:
35 c. Fees collected by the authority pursuant to this



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1 subsection shall be deposited in a fund within the state
2 treasury created pursuant to section 15.106A, subsection 1,
3 paragraph "o", and are appropriated to the authority for the
4 purposes set out in section 15.106A, subsection 1, paragraph
5 "o". However, fees collected by the authority pursuant to
6 section 15.330, subsection 12, ~~and section 15E.198, Code 2014,~~
7 and section 15.354, subsection 2, paragraph "f", shall be used
8 exclusively for costs associated with the administration of due
9 diligence and compliance.

10 Sec. 27. Section 15.119, subsection 2, paragraph b, Code
11 2014, is amended to read as follows:

12 b. The enterprise zones program administered pursuant to
13 sections 15E.191 through 15E.197, Code 2014.

14 Sec. 28. Section 15A.1, subsection 5, paragraph c, Code
15 2014, is amended by striking the paragraph.

16 Sec. 29. Section 15H.5, subsection 2, Code 2014, is amended
17 to read as follows:

18 2. The Iowa summer youth corps program is established
19 to provide meaningful summer enrichment programming to
20 Iowa youth. The program shall be administered by the Iowa
21 commission on volunteer service using a competitive grant
22 process to implement projects in accordance with program
23 requirements. The commission shall adopt administrative rules
24 for the program, including but not limited to incentives, grant
25 criteria, and grantee selection processes. A percentage of the
26 grants shall be designated by the commission to address the
27 needs of ~~city enterprise zones that meet the distress criteria~~
28 ~~outlined in section 15E.194~~ economically distressed areas as
29 defined in section 15.335C.

30 Sec. 30. Section 15H.5, subsection 5, paragraph c, Code
31 2014, is amended to read as follows:

32 c. The commission shall give priority consideration to
33 approving those projects that target communities that have
34 disproportionately high rates of juvenile crime or low rates
35 of high school graduation or that have been designated as ~~city~~

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1 ~~enterprise zones that meet the distress criteria outlined in~~
2 ~~section 15E.194~~ economically distressed areas as defined in
3 section 15.335C.

4 Sec. 31. Section 15J.4, subsection 1, paragraph b, Code
5 2014, is amended to read as follows:

6 b. The area ~~is~~ was in whole or in part ~~either an a~~
7 designated economic development enterprise zone ~~designated~~
8 under chapter 15E, division XVIII, Code 2014, immediately prior
9 to the effective date of this Act, or the area is in whole or in
10 part an urban renewal area established pursuant to chapter 403.

11 Sec. 32. Section 403.19A, subsection 3, paragraph j, Code
12 2014, is amended to read as follows:

13 j. An employer may participate in a new jobs credit from
14 withholding under section 260E.5, or a supplemental new jobs
15 credit from withholding under section 15E.197, Code 2014,
16 or under section 15.331, Code 2005, at the same time as the
17 employer is participating in the withholding credit under this
18 section. Notwithstanding any other provision in this section,
19 the new jobs credit from withholding under section 260E.5, and
20 the supplemental new jobs credit from withholding under section
21 15E.197, Code 2014, or under section 15.331, Code 2005, shall
22 be collected and disbursed prior to the withholding credit
23 under this section.

24 Sec. 33. Section 422.11F, subsection 2, Code 2014, is
25 amended to read as follows:

26 2. The taxes imposed under this division, less the credits
27 allowed under section 422.12, shall be reduced by investment
28 tax credits authorized pursuant to ~~sections~~ section 15.333 and
29 section 15E.193B, subsection 6, Code 2014.

30 Sec. 34. Section 422.16A, Code 2014, is amended to read as
31 follows:

32 **422.16A Job training withholding — certification and**
33 **transfer.**

34 Upon the completion by a business of its repayment
35 obligation for a training project funded under chapter 260E,

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1 including a job training project funded under section 15A.8
2 or repaid in whole or in part by the supplemental new jobs
3 credit from withholding under section 15A.7 or section 15E.197,
4 Code 2014, the sponsoring community college shall report to
5 the economic development authority the amount of withholding
6 paid by the business to the community college during the
7 final twelve months of withholding payments. The economic
8 development authority shall notify the department of revenue
9 of that amount. The department shall credit to the workforce
10 development fund account established in section 15.342A
11 twenty-five percent of that amount each quarter for a period
12 of ten years. If the amount of withholding from the business
13 or employer is insufficient, the department shall prorate the
14 quarterly amount credited to the workforce development fund
15 account. The maximum amount from all employers which shall be
16 transferred to the workforce development fund account in any
17 year is four million dollars.

18 Sec. 35. Section 422.33, subsection 12, paragraph b, Code
19 2014, is amended to read as follows:

20 b. The taxes imposed under this division shall be reduced by
21 investment tax credits authorized pursuant to section 15.333
22 and section 15E.193B, subsection 6, Code 2014.

23 Sec. 36. Section 422.60, subsection 5, paragraph b, Code
24 2014, is amended to read as follows:

25 b. The taxes imposed under this division shall be reduced by
26 investment tax credits authorized pursuant to sections 15.333
27 and 15E.193B, subsection 6, Code 2014.

28 Sec. 37. Section 432.12C, subsection 2, Code 2014, is
29 amended to read as follows:

30 2. The taxes imposed under this chapter shall be reduced by
31 investment tax credits authorized pursuant to section 15.333A
32 and section 15E.193B, subsection 6, Code 2014.

33 Sec. 38. REPEAL. Sections 15E.191, 15E.192, 15E.193,
34 15E.193B, 15E.194, 15E.195, 15E.196, 15E.197, and 15E.198, Code
35 2014, are repealed.



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1 Sec. 39. EFFECTIVE UPON ENACTMENT. The following provision
2 or provisions of this division of this Act, being deemed of
3 immediate importance, take effect upon enactment:

4 1. The section of this division of this Act allowing
5 the transfer of certain investment tax credits issued to
6 eligible housing businesses under the enterprise zone program,
7 notwithstanding the requirements limiting transfer of such
8 credits under section 15E.193B, subsection 8.

9 Sec. 40. APPLICABILITY.

10 1. On or after the effective date of this division of this
11 Act, a city or county shall not create an enterprise zone under
12 chapter 15E, division XVIII, or enter into a new agreement or
13 amend an existing agreement under chapter 15E, division XVIII.

14 2. a. Agreements entered into under chapter 15E, division
15 XVIII before the effective date of this division of this
16 Act between an eligible business and a city, county, or
17 the economic development authority or between an eligible
18 business and the department of revenue and a community college
19 or between an eligible housing business and the economic
20 development authority shall remain in effect until they expire
21 under their own terms and except as otherwise provided in this
22 division of this Act, such agreements shall be governed by
23 chapter 15E, division XVIII, Code 2014.

24 b. The elimination of the enterprise zone program under this
25 Act shall not constitute grounds for rescission or modification
26 of agreements entered into under the program, except as
27 otherwise provided in this division of this Act.

28 3. Except as otherwise provided in this division of this
29 Act, this division of this Act is not intended to and shall not
30 limit, modify, or otherwise adversely affect any tax credit
31 certificate or related tax credit issued before the effective
32 date of this Act or limit, modify, or otherwise adversely
33 affect the redemption or transfer of any tax credit or tax
34 credit certificate issued before the effective date of this
35 division of this Act.



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1 EXPLANATION

2 The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

4 This bill relates to the administration of programs by
5 the economic development authority (EDA) by modifying the
6 high quality jobs program, creating a workforce housing tax
7 incentives program, and repealing the enterprise zone program.

8 DIVISION I — HIGH QUALITY JOBS PROGRAM. Division I modifies
9 the high quality jobs program administered by the EDA. The
10 division adds a definition for "project" for purposes of the
11 program and strikes language that references the start-up,
12 location, or expansion of an eligible business, and replaces
13 it with reference to a "project". "Project" is defined as an
14 activity or set of activities directly related to the start-up,
15 location, modernization, or expansion of a business, and
16 proposed in an application by a business, that will result in
17 the accomplishment of the goals of the program.

18 The division amends the requirements for claiming the sales
19 and use tax refund under the program for the construction or
20 equipping of a facility of the eligible business to require
21 that the facility also be part of a project.

22 The division modifies the type of projects that will qualify
23 for tax incentives or project completion assistance under
24 the program. Under current law, the EDA only provides tax
25 incentives or project completion assistance to businesses
26 creating jobs if the business will pay at least 120 percent of
27 the qualifying wage threshold, unless the business is located
28 in an economically distressed area, in which case the business
29 must pay at least 100 percent of the qualifying wage threshold.
30 Economically distressed areas include the 25 lowest-ranked Iowa
31 counties by average monthly or annual unemployment.

32 The division amends the definition of "economically
33 distressed area" by increasing to 33 from 25 the number of Iowa
34 counties that will qualify as an economically distressed area.
35 The division also permits businesses creating or retaining

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1 jobs as part of a project at a grayfield site or a brownfield
2 site, as currently defined in statute, to qualify for tax
3 incentives or project completion assistance if the business
4 will pay at least 100 percent or 90 percent, respectively, of
5 the qualifying wage threshold.

6 The division applies to high quality jobs program agreements
7 entered into on or after the effective date of the division,
8 and high quality jobs program agreements entered into prior to
9 the effective date of the division shall be governed by current
10 law.

11 DIVISION II — WORKFORCE HOUSING TAX INCENTIVES PROGRAM.
12 Division II creates a workforce housing tax incentives program
13 (program) that will be administered by the EDA and that will
14 provide tax incentives to housing businesses that complete
15 housing projects in the state. A "housing business" means a
16 business that is a housing developer, housing contractor, or
17 nonprofit organization that completes a housing project in the
18 state. In order to qualify for the tax incentives under the
19 program, a housing project must meet several requirements.

20 First, the housing project must consist of a certain type
21 and number of dwelling units. The project must include, at
22 a minimum, four or more single-family dwelling units, one or
23 more multiple dwelling unit buildings that each contain three
24 or more individual dwelling units, or two or more dwelling
25 units located in the upper story of an existing multi-use
26 building. "Multi-use building" is defined as a building
27 whose street-level ground story is used for a purpose that is
28 other than residential, and whose upper story or stories are
29 currently used for a residential purpose, or will be used for
30 a residential purpose after completion of the housing project
31 associated with the building.

32 Second, the housing project must involve a certain type of
33 development in a certain geographic location. The project may
34 involve the rehabilitation, repair, or redevelopment of any
35 dwelling unit if it occurs at a brownfield or grayfield site,



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1 as those terms are defined in the bill, or in a distressed
2 workforce housing community. The project may involve the
3 rehabilitation, repair, or redevelopment anywhere in the state
4 of a dilapidated dwelling unit or a dwelling unit located in
5 the upper story of an existing multi-use building. The project
6 may involve the new construction of a dwelling unit if it is in
7 a distressed workforce housing community, but shall not include
8 the new construction of a multi-use building.

9 The designation of a community as a distressed workforce
10 housing community shall be within the discretion of the EDA
11 after it considers the merits of all applications for such a
12 designation and the demand for projects in distressed workforce
13 housing communities compared to the demand for all other
14 projects and after considering whether or not a particular
15 community has a severe housing shortage relative to demand,
16 low vacancy rates, or rising housing costs combined with low
17 unemployment. "Community" means a city or county.

18 Third, the average dwelling unit cost of a housing project
19 must not exceed \$200,000 per dwelling unit, or \$250,000 per
20 dwelling unit if the project involves the rehabilitation,
21 repair, redevelopment, or preservation of "eligible property",
22 which means the same as defined for purposes of the historic
23 preservation and cultural and entertainment district tax credit
24 in Code chapter 404A and includes property listed or eligible
25 for listing on the national register of historic places or
26 property designated or eligible for designation as of historic
27 significance to a district listed in the national register of
28 historic places or property or a district designated a local
29 landmark by a city or county ordinance or property that is a
30 barn constructed prior to 1937.

31 Fourth, the dwelling units that are part of the housing
32 project must meet the United States Department of Housing and
33 Urban Development's housing quality standards and applicable
34 local safety standards.

35 A housing business seeking tax incentives for a housing

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1 project under the program is required to apply to the EDA.
2 The application must include a resolution in support of the
3 housing project by the community where the housing project will
4 be located, documentation of local matching funds pledged of
5 \$1,000 or more per dwelling unit, a funding agreement between
6 the housing business and the community, a report describing all
7 violations of environmental law or worker safety law within the
8 last five years, and any other information deemed necessary by
9 the EDA to evaluate the eligibility and financial need of the
10 housing project under the program. The EDA is not required to
11 accept applications on a continuous basis. Upon review of an
12 application, the EDA may register a housing project under the
13 program. The EDA is required to notify a housing business of
14 successful registration and the amount of tax incentives for
15 which the EDA preliminarily determines it qualifies for. A
16 housing business is then required to enter into an agreement
17 with the EDA for the successful completion of its housing
18 project within three years from the date it was registered by
19 the EDA. A compliance cost fee equal to 0.5 percent of the
20 value of the tax incentives claimed pursuant to an agreement
21 will be imposed upon all agreements with an aggregate tax
22 incentive value of \$100,000 or greater.

23 A housing business that fails to comply with the
24 requirements of the program or the terms of an agreement with
25 the EDA may have its tax incentives reduced, terminated, or
26 rescinded, and may be subject to the repayment or recapture of
27 claimed tax incentives.

28 Upon completion of a registered housing project, a
29 housing business must have its housing project audited by
30 an independent certified public accountant licensed in this
31 state. The EDA will then review the audit, verify the amount
32 of workforce investment tax credits the eligible business may
33 claim, and issue a tax credit certificate for that amount.

34 The maximum amount of tax incentives that may be awarded
35 by the EDA to a housing business for a housing project shall

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1 not exceed \$1 million. In the event a housing business
2 qualifies for tax incentives in excess of \$1 million, the
3 housing business and EDA may negotiate an apportionment of the
4 reduction between the program's two tax incentives.
5 The program provides two different tax incentives. The
6 first is a refund of the sales and use taxes paid that are
7 directly related to the housing project. The bill provides
8 that the willful making of a false report in connection with
9 the sales and use tax refund is a simple misdemeanor. A simple
10 misdemeanor is punishable by confinement for no more than 30
11 days or a fine of at least \$65 but not more than \$625, or by
12 both. The second is a workforce housing investment tax credit
13 in an amount not to exceed 10 percent of the qualifying new
14 investment of the housing project. "Qualifying new investment"
15 means the costs directly related to the acquisition, repair,
16 rehabilitation, or redevelopment of the housing project.
17 "Qualifying new investment" also includes costs that are
18 directly related to new construction of dwelling units if the
19 new construction occurs in a distressed workforce housing
20 community. However, "qualifying new investment" does not
21 include the portion of the total costs financed by federal,
22 state, or local government tax credits, grants, forgivable
23 loans, or other forms of nonrepayable financial assistance,
24 excluding the tax incentives provided under the program. Also,
25 if the housing project includes the rehabilitation, repair, or
26 redevelopment of an existing multi-use building, "qualifying
27 new investment" does not include the portion of the total
28 acquisition costs of the multi-use building that is used for a
29 purpose that is other than residential.
30 The workforce housing investment tax credit may be claimed
31 against the individual income tax, the corporate income
32 tax, the franchise tax, the insurance companies tax, and the
33 moneys and credits tax. To claim a tax credit, a taxpayer
34 must include a tax credit certificate with the taxpayer's
35 tax return. The credit is nonrefundable but may be credited



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1 to the tax liability for five years. The tax credit may
2 be transferred to any person or entity, and the division
3 establishes procedures for the proper transfer of the tax
4 credit. For purposes of the individual and corporate income
5 taxes and the franchise tax, when the tax basis of property is
6 increased as a result of qualifying new investment, that tax
7 basis shall be reduced by the amount of the workforce housing
8 investment tax credit issued under the program.

9 The division provides that the program is part of the EDA's
10 maximum aggregate tax credit cap of \$170 million per fiscal
11 year, and not more than \$20 million per fiscal year may be
12 issued by the EDA under the program. The EDA is required
13 to issue tax incentives under the program on a first-come,
14 first-served basis until the maximum amount of \$20 million
15 per fiscal year is reached. If the amount of tax incentives
16 exceeds this amount in a fiscal year, the EDA is required to
17 establish a wait list and give priority in subsequent years to
18 the registered housing projects on the wait list.

19 The EDA and the department of revenue are required to adopt
20 rules as necessary for the joint administration of the program.

21 DIVISION III — ENTERPRISE ZONE PROGRAM. Division III
22 repeals the enterprise zone program administered by the EDA
23 and makes conforming changes to references in the Code to the
24 enterprise zone program and its corresponding tax incentives.

25 The division amends the distribution criteria for grants and
26 projects under the Iowa summer youth corps program to provide
27 that a percentage of grants, and certain priority consideration
28 for projects, shall be given to economically distressed areas,
29 as defined in Code section 15.335C, instead of enterprise
30 zones.

31 The division amends the qualification that an area be part of
32 an enterprise zone in order to be designated as a reinvestment
33 district under the Iowa reinvestment Act in Code chapter 15J to
34 require that an area be part of an enterprise zone that existed
35 immediately prior to the effective date of the division.



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1 Under current law, investment tax credits issued to
2 eligible housing businesses under the enterprise zone program
3 are transferrable if the housing development is located on
4 a brownfield site or in a blighted area, or if the housing
5 development is receiving low-income housing tax credits under
6 section 42 of the Internal Revenue Code (IRC). However, under
7 current law, the EDA may not approve for transfer in any one
8 calendar year more than \$3 million worth of such tax credits
9 for those housing projects not receiving low-income housing tax
10 credits under section 42 of the IRC. The division notwithstanding
11 those current Code provisions and permits investment tax
12 credits already issued or that will be issued to an eligible
13 housing business under an existing enterprise zone agreement
14 with the EDA for housing developments located on a brownfield
15 site or in a blighted area to be eligible for transfer in
16 calendar year 2014, or any subsequent calendar year, provided
17 the eligible housing business was awarded the investment tax
18 credit before the effective date of this section of the bill
19 and notifies the authority, in writing, before July 1, 2014, of
20 its intent to transfer such tax credits. This section of the
21 bill takes effect upon enactment.

22 The division prohibits a city or county from creating an
23 enterprise zone, entering into a new enterprise zone agreement,
24 or amending an existing enterprise zone agreement, on or after
25 the effective date of the division.

26 The division provides that existing enterprise zone
27 agreements between an eligible business or an eligible housing
28 business and a city, county, or the EDA, including existing
29 supplemental new jobs credit from withholding agreements
30 between an eligible business and the department of revenue and
31 a community college, shall remain in effect until they expire
32 under their own terms and shall be governed by chapter 15E,
33 division XVIII, Code 2014. The elimination of the enterprise
34 zone program under the division shall not constitute grounds
35 for rescission or modification of enterprise zone agreements.

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1 Except as provided in the division, tax credit certificates
2 or related tax credits issued before the effective date of
3 the division are not intended to and shall not be limited,
4 modified, or otherwise adversely affected by the division.



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Senate Study Bill 3130 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act permitting electronic voter registration and including
2 penalties and effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 39A.2, subsection 1, paragraph a,
2 subparagraph (2), Code 2014, is amended to read as follows:
3 (2) Falsely swears to an oath required pursuant to section
4 48A.7A or section 48A.8A.
5 Sec. 2. NEW SECTION. **48A.8A Electronic registration.**
6 1. An eligible elector may apply to register to vote by
7 electronic means by completing and submitting an electronic
8 voter registration form provided through the state commissioner
9 of elections' internet site. A commissioner of registration's
10 internet site may provide an electronic link to the electronic
11 voter registration form provided under this subsection.
12 2. An electronic voter registration form completed pursuant
13 to this section shall require that a registrant:
14 a. Provide the information as required pursuant to section
15 48A.11.
16 b. Have an Iowa driver's license, Iowa nonoperator's
17 identification card, a social security number, or an
18 identification number provided pursuant to section 48A.11,
19 subsection 8.
20 c. Attest to a statement that lists each eligibility
21 requirement, that the registrant meets all of the requirements,
22 and requires the electronic signature of the registrant,
23 consistent with electronic signatures as defined in section
24 554D.103.
25 d. Sign the electronic voter registration form in a manner
26 consistent with electronic signatures as defined in section
27 554D.103.
28 e. Affirmatively authorize the state commissioner of
29 elections to use the registrant's signature obtained from
30 the department of transportation or from a commissioner of
31 registration for voter registration purposes.
32 f. In order for a registrant to register under this section,
33 the state commissioner of elections shall verify that the Iowa
34 driver's license number, Iowa nonoperator's identification card
35 number, last four numerals of the registrant's social security

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1 number, or the unique identifying number, and date of birth
2 provided by the registrant match the information contained in
3 department of transportation records or in commissioner of
4 registration records.

5 3. a. The department of transportation shall, upon
6 request, provide to the state commissioner of elections a copy
7 of the registrant's signature in electronic format, if the
8 registrant's signature is on record with the department of
9 transportation.

10 b. A commissioner of registration shall, upon request,
11 provide to the state commissioner of elections a copy of
12 the registrant's signature in electronic format, if the
13 registrant's signature is accepted and on record with the
14 commissioner of registration pursuant to section 48A.13.

15 4. a. The state commissioner of elections shall transmit
16 to the appropriate commissioner of registration a registrant's
17 completed voter registration form and electronic signature not
18 later than five business days after the date of electronic
19 submission of the form by the registrant.

20 b. The state commissioner of elections shall notify the
21 registrant by mail within five business days if a copy of
22 the registrant's signature cannot be obtained by the state
23 commissioner of elections in electronic format pursuant to
24 subsection 3. The state commissioner of elections shall
25 include a voter registration form with the notice.

26 5. A voter registration form completed under this section
27 shall be accompanied by the following statement featured
28 prominently on the internet site in boldface capital letters:

29 WARNING: I UNDERSTAND THAT ANY FALSE STATEMENT IN THIS OATH
30 IS A CLASS "D" FELONY PUNISHABLE BY NO MORE THAN FIVE YEARS IN
31 CONFINEMENT AND A FINE OF AT LEAST SEVEN HUNDRED FIFTY DOLLARS
32 BUT NOT MORE THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS.

33 6. An eligible elector who registers pursuant to this
34 section and who has not previously voted in an election for
35 federal office in the county of registration shall be treated

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1 as a registrant by mail and is subject to the provisions of
2 section 48A.8, subsections 2 through 4.

3 Sec. 3. Section 48A.27, subsection 2, paragraph a, Code
4 2014, is amended by adding the following new subparagraph:
5 NEW SUBPARAGRAPH. (6) A voter registration form submitted
6 as provided in section 48A.8A.

7 Sec. 4. EFFECTIVE DATE. This Act takes effect January 1,
8 2015.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill permits electronic voter registration from the
13 state commissioner of elections' internet site.

14 The bill allows an eligible elector to apply to register
15 to vote by electronic means by completing and submitting an
16 electronic voter registration form provided on the internet
17 site for the secretary of state as the state commissioner of
18 elections.

19 The bill requires that an electronic voter registration
20 form provide all information that is currently required on
21 printed voter registration forms. The bill also requires that
22 a registrant seeking to use the electronic voter registration
23 form have an Iowa driver's license, Iowa nonoperator's
24 identification card, a social security number, or a unique
25 identifying number assigned to the registrant for voter
26 registration purposes.

27 The bill requires that a registrant attest to a statement
28 that lists each voter registration eligibility requirement,
29 that the registrant meets all of the requirements, and requires
30 the electronic signature of the registrant, consistent with
31 Code section 554D.103, as part of the uniform electronic
32 transactions Act. The bill further requires that a registrant
33 sign the electronic voter registration form in a manner
34 consistent with that Code section.

35 The bill requires that the registrant authorize the

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1 state commissioner of elections to use the applicant's
2 signature obtained from the department of transportation or a
3 commissioner of registration for voter registration purposes.
4 The state commissioner of elections is required to notify a
5 registrant by mail within five business days if a copy of the
6 registrant's signature cannot be obtained and is required to
7 include a voter registration form with that notice.

8 The bill requires that the state commissioner of elections
9 verify that the Iowa driver's license, Iowa nonoperator's
10 identification card, last four numerals of the registrant's
11 social security number, or unique identifying number, and date
12 of birth provided by the registrant match the information
13 contained in department of transportation records or in
14 commissioner of registration records. The bill requires the
15 state commissioner of elections to transmit to the appropriate
16 commissioner of registration a registrant's completed voter
17 registration application and electronic signature not later
18 than five business days after the date of submission of the
19 application and signature.

20 The bill requires that the electronic registration form be
21 accompanied by a statement featured prominently in boldface
22 capital letters informing the registrant of the penalty
23 for providing false information on a voter registration
24 application.

25 The bill also requires that an electronic voter registration
26 registrant who has not previously voted in an election for
27 federal office in the county of registration must follow the
28 voting requirements of Code section 48A.8 for registrants
29 submitting applications by mail under current law and who have
30 not previously voted in an election for federal office in the
31 county of registration. These provisions under current law
32 require that a mail registrant who has not previously voted in
33 an election for federal office in the county of registration
34 shall be required to provide identification documents when
35 voting for the first time in the county, unless the registrant

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1 provided on the registration form the registrant's Iowa
2 driver's license number, the registrant's Iowa nonoperator's
3 identification card number, or the last four numerals of the
4 registrant's social security number and such information
5 provided matches an existing state or federal identification
6 record with the same number, name, and date of birth. Code
7 section 48A.8 also provides that a registrant who votes in
8 person at the polls or by absentee ballot at the commissioner's
9 office or at a satellite voting station shall provide a form of
10 identification specified in that Code section. Code section
11 48A.8 also requires that if a registrant is voting for the
12 first time following mail registration and votes an absentee
13 ballot by mail, the registrant shall provide a photocopy of the
14 identification document when returning the absentee ballot.
15 Code section 48A.8 also allows a registrant voting in person
16 for the first time following submission of a registration form
17 by mail to vote a provisional ballot if the voter does not
18 provide the required identification documents.

19 The bill extends the category for the crime of voter
20 registration fraud to include fraudulent electronic
21 registration. Registration fraud is a class "D" felony. A
22 class "D" felony is punishable by confinement for no more than
23 five years and a fine of at least \$750 but not more than \$7,500.

24 The bill takes effect January 1, 2015.



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Senate Study Bill 3131 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to the administration of elections and voter
2 registration by modifying the close of registration prior
3 to a primary election, requiring that absentee ballots
4 be received before the polls close on election day, and
5 allowing for changes to the envelopes provided to absentee
6 voters.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 48A.9, subsection 1, Code 2014, is
2 amended to read as follows:

3 1. Registration closes at 5:00 p.m. eleven days before each
4 election except ~~primary and~~ general elections. For ~~primary and~~
5 general elections, registration closes at 5:00 p.m. ten days
6 before the election. An eligible elector may register during
7 the time registration is closed in the elector's precinct but
8 the registration shall not become effective until registration
9 opens again in the elector's precinct, except as otherwise
10 provided in section 48A.7A.

11 Sec. 2. Section 48A.26, subsection 3, Code 2014, is amended
12 to read as follows:

13 3. If the registration form is missing required information
14 pursuant to section 48A.11, subsection 8, the acknowledgment
15 shall advise the applicant what additional information is
16 required. The commissioner shall enclose a new registration
17 form for the applicant to use. If the registration form has
18 no address, the commissioner shall make a reasonable effort
19 to determine where the acknowledgment should be sent. If the
20 incomplete registration form is received during the period in
21 which registration is closed pursuant to section 48A.9 but
22 by 5:00 p.m. on the Saturday before the election for general
23 ~~and primary~~ elections or by 5:00 p.m. on the Friday before the
24 election for all other elections, the commissioner shall send
25 a notice advising the applicant of election day and in-person
26 absentee registration procedures under section 48A.7A.

27 Sec. 3. Section 50.20, Code 2014, is amended to read as
28 follows:

29 **50.20 Notice of number of provisional ballots.**

30 The commissioner shall compile a list of the number of
31 provisional ballots cast under section 49.81 in each precinct.
32 The list shall be made available to the public as soon as
33 possible, but in no case later than 9:00 a.m. on the second
34 day following the election. Any elector may examine the
35 list during normal office hours, and may also examine the

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1 ~~affidavit~~ affidavits on the envelopes ~~bearing~~ containing the
2 ballots of challenged electors until the reconvening of the
3 special precinct board as required by this chapter. Only those
4 persons so permitted by section 53.23, subsection 4, shall have
5 access to the affidavits while that board is in session. Any
6 elector may present written statements or documents, supporting
7 or opposing the counting of any provisional ballot, at the
8 commissioner's office until the reconvening of the special
9 precinct board.

10 Sec. 4. Section 50.22, Code 2014, is amended to read as
11 follows:

12 **50.22 Special precinct board to determine challenges and**
13 **canvass absentee ballots.**

14 1. Upon being reconvened, the special precinct election
15 board shall review the information upon the envelopes bearing
16 the provisional ballots, and all evidence submitted in support
17 of or opposition to the right of each challenged person to vote
18 in the election. The board may divide itself into panels of
19 not less than three members each in order to hear and determine
20 two or more challenges simultaneously, but each panel shall
21 meet the requirements of section 49.12 as regards political
22 party affiliation of the members of each panel.

23 2. The decision to count or reject each ballot shall be
24 made upon the basis of the information given on the envelope
25 containing the provisional ballot, the evidence concerning
26 the challenge, the registration, and the returned receipts of
27 registration.

28 3. If a provisional ballot is rejected, the person casting
29 the ballot shall be notified by the commissioner within ten
30 days of the reason for the rejection, on the form prescribed
31 by the state commissioner pursuant to section 53.25, and the
32 envelope containing the provisional ballot shall be preserved
33 unopened and disposed of in the same manner as spoiled ballots.
34 The provisional ballots which are accepted shall be counted
35 in the manner prescribed by section 53.23, subsection 5. The

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1 commissioner shall make public the number of provisional
2 ballots rejected and not counted, at the time of the canvass of
3 the election.

4 ~~The special precinct board shall also canvass any absentee~~
5 ~~ballots which were received after the polls closed in~~
6 ~~accordance with section 53.17. If necessary, they shall~~
7 ~~reconvene again on the day of the canvass by the board of~~
8 ~~supervisors to canvass any absentee ballots which were timely~~
9 ~~received.~~

10 4. The special precinct board shall submit their tally list
11 to the supervisors before the conclusion of the canvass by the
12 board.

13 Sec. 5. Section 50.24, subsection 2, Code 2014, is amended
14 to read as follows:

15 2. Upon convening, the board shall open and canvass the
16 tally lists and shall prepare abstracts stating the number of
17 votes cast in the county, or in that portion of the county
18 in which the election was held, for each office and on each
19 question on the ballot for the election. ~~The board shall~~
20 ~~contact the chairperson of the special precinct board before~~
21 ~~adjourning and include in the canvass any absentee ballots~~
22 ~~which were received after the polls closed in accordance with~~
23 ~~section 53.17 and which were canvassed by the special precinct~~
24 ~~board after election day.~~ The abstract shall further indicate
25 the name of each person who received votes for each office on
26 the ballot, and the number of votes each person named received
27 for that office, and the number of votes for and against each
28 question submitted to the voters at the election. The votes
29 of all write-in candidates who each received less than five
30 percent of the votes cast for an office shall be reported
31 collectively under the heading "scattering".

32 Sec. 6. Section 53.2, subsection 6, Code 2014, is amended
33 to read as follows:

34 6. If an application for an absentee ballot is received
35 from an eligible elector who is not a registered voter

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1 the commissioner shall send the eligible elector a voter
2 registration form and another absentee ballot application form.
3 If the application is received after the time registration
4 closes pursuant to section 48A.9 but by 5:00 p.m. on the
5 Saturday before the election for general ~~and primary~~ elections
6 or by 5:00 p.m. on the Friday before the election for all other
7 elections, the commissioner shall notify the applicant by
8 mail of the election day and in-person absentee registration
9 provisions of section 48A.7A. In addition to notification
10 by mail, the commissioner shall also attempt to contact the
11 applicant by any other method available to the commissioner.
12 Sec. 7. Section 53.8, subsection 1, Code 2014, is amended
13 to read as follows:

14 1. a. Upon receipt of an application for an absentee ballot
15 and immediately after the absentee ballots are printed, the
16 commissioner shall mail an absentee ballot to the applicant
17 within twenty-four hours, except as otherwise provided in
18 subsection 3. The absentee ballot shall be sent to the
19 registered voter by one of the following methods:

20 (1) The absentee ballot shall be enclosed in an unsealed
21 envelope ~~bearing~~ imprinted with a serial number and affidavit.
22 The absentee ballot and ~~unsealed~~ affidavit envelope shall
23 be enclosed in or with a an unsealed return envelope marked
24 postage paid which bears the same serial number as the ~~unsealed~~
25 affidavit envelope. The absentee ballot, ~~unsealed~~ affidavit
26 envelope, and return envelope shall be enclosed in a third
27 envelope to be sent to the registered voter. If the ballot
28 cannot be folded so that all of the votes cast on the ballot
29 will be hidden, the commissioner shall also enclose a secrecy
30 envelope with the absentee ballot.

31 (2) The absentee ballot shall be enclosed in an unsealed
32 return envelope imprinted with a serial number and affidavit
33 and marked postage paid. The absentee ballot and return
34 envelope shall be enclosed in a second envelope to be sent
35 to the registered voter. If the ballot cannot be folded so



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1 that all of the votes cast on the ballot will be hidden, the
2 commissioner shall also enclose a secrecy envelope with the
3 absentee ballot.

4 b. The affidavit shall be imprinted on the appropriate
5 envelope in a form prescribed by the state commissioner of
6 elections.

7 Sec. 8. Section 53.10, subsection 2, Code 2014, is amended
8 to read as follows:

9 2. Each person who wishes to vote by absentee ballot at
10 the commissioner's office shall first sign an application for
11 a ballot including the following information: name, current
12 address, and the election for which the ballot is requested.
13 The person may report a change of address or other information
14 on the person's voter registration record at that time. The
15 registered voter shall immediately mark the ballot; enclose
16 the ballot in a secrecy envelope, if necessary, and seal it
17 in ~~an affidavit~~ the envelope imprinted with the affidavit;
18 subscribe to the affidavit on the reverse side of the envelope;
19 and return the absentee ballot to the commissioner. The
20 commissioner shall record the numbers appearing on the
21 application and affidavit envelope along with the name of the
22 registered voter.

23 Sec. 9. Section 53.16, Code 2014, is amended to read as
24 follows:

25 **53.16 Subscribing to affidavit.**

26 After marking the ballot, the voter shall make and subscribe
27 to the affidavit on the ~~reverse side of the~~ affidavit envelope
28 or on the return envelope imprinted with the affidavit, and
29 fold the ballot or ballots, separately, so as to conceal
30 the markings on them, and deposit them in the envelope, and
31 securely seal the envelope.

32 Sec. 10. Section 53.17, subsection 1, unnumbered paragraph
33 1, Code 2014, is amended to read as follows:

34 ~~The~~ If the commissioner mailed the ballot pursuant to
35 section 53.8, subsection 1, paragraph "a", subparagraph (1),

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1 the sealed affidavit envelope containing the absentee ballot
2 shall be enclosed in a return envelope which shall be securely
3 sealed. If the commissioner mailed the ballot pursuant to
4 section 53.8, subsection 1, paragraph "a", subparagraph (2),
5 the absentee ballot shall be enclosed in the return envelope
6 which shall be securely sealed. The sealed return envelope
7 shall be returned to the commissioner by one of the following
8 methods:

9 Sec. 11. Section 53.17, subsection 2, Code 2014, is amended
10 to read as follows:

11 2. In order for the ballot to be counted, the return
12 envelope must be received in the commissioner's office before
13 the polls close on election day ~~or be clearly postmarked by an~~
14 ~~officially authorized postal service not later than the day~~
15 ~~before the election and received by the commissioner not later~~
16 ~~than noon on the Monday following the election.~~

17 Sec. 12. Section 53.17, subsection 3, Code 2014, is amended
18 by striking the subsection.

19 Sec. 13. Section 53.17, subsection 4, paragraph f, Code
20 2014, is amended to read as follows:

21 *f.* A statement that the completed absentee ballot will
22 be delivered to the commissioner's office within seventy-two
23 hours of retrieving it from the voter or before the closing of
24 the polls on election day, whichever is earlier, or that the
25 completed absentee ballot will be mailed to the commissioner
26 within seventy-two hours of retrieving it from the voter ~~or~~
27 ~~within time to be postmarked not later than the day before the~~
28 ~~election, whichever is earlier.~~

29 Sec. 14. Section 53.18, subsections 2 and 3, Code 2014, are
30 amended to read as follows:

31 2. If the commissioner receives the return envelope
32 containing the completed absentee ballot by 5:00 p.m. on
33 the Saturday before the election for general ~~and primary~~
34 elections and by 5:00 p.m. on the Friday before the election
35 for all other elections, the commissioner shall review the

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1 affidavit imprinted on the return envelope, if applicable, for
2 completeness or shall open the return envelope to review the
3 affidavit for completeness. If the affidavit is incomplete,
4 the commissioner shall, within twenty-four hours of the time
5 the envelope was received, notify the voter of that fact and
6 that the voter may complete the affidavit in person at the
7 office of the commissioner by 5:00 p.m. on the day before the
8 election, vote a replacement ballot in the manner and within
9 the time period provided in subsection 3, or appear at the
10 voter's precinct polling place on election day and cast a
11 ballot in accordance with section 53.19, subsection 3.

12 3. If the affidavit envelope or the return envelope
13 imprinted with the affidavit contains a defect that would
14 cause the absentee ballot to be rejected by the absentee
15 and special voters precinct board, the commissioner shall
16 immediately notify the voter of that fact and that the
17 voter's absentee ballot shall not be counted unless the
18 voter requests and returns a replacement ballot in the time
19 permitted under section 53.17, subsection 2. The voter may
20 request a replacement ballot in person, in writing, or over
21 the telephone. The same serial number that was assigned
22 to the records of the original absentee ballot application
23 shall be used on the envelope and records of the replacement
24 ballot. The ~~affidavit~~ envelope imprinted with the affidavit
25 and containing the completed replacement ballot shall be
26 marked "Replacement ballot". The ~~affidavit~~ envelope imprinted
27 with the affidavit and containing the original ballot shall
28 be marked "Defective" and the replacement ballot shall be
29 attached to ~~the affidavit~~ such envelope containing the original
30 ballot and shall be stored in a secure place until they are
31 delivered to the absentee and special voters precinct board,
32 notwithstanding sections 53.26 and 53.27.

33 Sec. 15. Section 53.21, subsection 2, paragraph b, Code
34 2014, is amended to read as follows:

35 b. The voter shall enclose one copy of the above statement

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1 in the return envelope along with the affidavit envelope, if
2 the voter was mailed a separate affidavit envelope, and shall
3 retain a copy for the voter's records.

4 Sec. 16. Section 53.23, subsection 3, paragraph b,
5 subparagraph (1), Code 2014, is amended to read as follows:

6 (1) The commissioner may direct the board to meet on the day
7 before the election for the purpose of reviewing the absentee
8 voters' affidavits appearing on the sealed ~~affidavit~~ envelopes.
9 If in the commissioner's judgment this procedure is necessary
10 due to the number of absentee ballots received, the members of
11 the board may open the sealed affidavit envelopes and remove
12 the secrecy envelope containing the ballot, but under no
13 circumstances shall a secrecy envelope or a return envelope
14 imprinted with an affidavit be opened before the board convenes
15 on election day, except as provided in paragraph "c". If the
16 affidavit envelopes are opened before election day pursuant
17 to this paragraph "b", two observers, one appointed by each
18 of the two political parties referred to in section 49.13,
19 subsection 2, shall witness the proceedings. The observers
20 shall be appointed by the county chairperson or, if the
21 county chairperson fails to make an appointment, by the state
22 chairperson. However, if either or both political parties fail
23 to appoint an observer, the commissioner may continue with the
24 proceedings.

25 Sec. 17. Section 53.23, subsection 5, Code 2014, is amended
26 to read as follows:

27 5. The special precinct election board shall preserve
28 the secrecy of all absentee and provisional ballots. After
29 the affidavits on the envelopes have been reviewed and the
30 qualifications of the persons casting the ballots have been
31 determined, those that have been accepted for counting shall
32 be opened. The ballots shall be removed from the affidavit
33 envelopes or return envelopes imprinted with the affidavit, as
34 applicable, without being unfolded or examined, and then shall
35 be thoroughly intermingled, after which they shall be unfolded



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1 and tabulated. If secrecy folders or envelopes are used with
2 provisional paper ballots, the ballots shall be removed from
3 the secrecy folders after the ballots have been intermingled.

4 Sec. 18. Section 53.25, Code 2014, is amended to read as
5 follows:

6 **53.25 Rejecting ballot.**

7 1. If the absentee voter's affidavit lacks the voter's
8 signature, if the applicant is not a duly registered voter on
9 election day in the precinct where the absentee ballot was
10 cast, if the affidavit envelope imprinted with the affidavit
11 contains more than one ballot of any one kind, or if the
12 voter has voted in person, such vote shall be rejected by the
13 absentee and special voters precinct board. If the affidavit
14 envelope or return envelope imprinted with the affidavit is
15 open, or has been opened and resealed, or if the ballot is
16 not enclosed in ~~the affidavit~~ such envelope, and an affidavit
17 envelope or return envelope imprinted with the affidavit with
18 the same serial number and marked "Replacement ballot" is
19 not attached as provided in section 53.18, the vote shall be
20 rejected by the absentee and special voters precinct board.

21 2. If the absentee ballot is rejected prior to the opening
22 of the affidavit envelope or return envelope imprinted with the
23 affidavit, the voter casting the ballot shall be notified by a
24 precinct election official by the time the canvass is completed
25 of the reason for the rejection on a form prescribed by the
26 state commissioner of elections.

27 Sec. 19. Section 53.27, Code 2014, is amended to read as
28 follows:

29 **53.27 Rejection of ballot — return of envelope.**

30 If the ballot is rejected, the ~~affidavit envelope~~, imprinted
31 with the affidavit of, with the voter-endorsed voter's
32 endorsement thereon, shall be returned with the rejected ballot
33 in the envelope endorsed "Defective ballots".

34 Sec. 20. Section 53.30, Code 2014, is amended to read as
35 follows:

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1 **53.30 Ballots, ballot envelopes, and other information**
2 **preserved.**

3 At the conclusion of each meeting of the absentee and
4 special voter's precinct board, the board shall securely
5 seal all ballots counted by them in the manner prescribed in
6 section 50.12. The ballot envelopes, including the affidavit
7 ~~envelope having the registered voter's affidavit on it~~ if an
8 affidavit envelope was provided, the return envelope, and
9 secrecy envelope bearing the signatures of precinct election
10 officials, as required by section 53.23, shall be preserved.
11 All applications for absentee ballots, ballots rejected without
12 being opened, absentee ballot logs, and any other documents
13 pertaining to the absentee ballot process shall be preserved
14 until such time as the documents may be destroyed pursuant to
15 section 50.19.

16 Sec. 21. Section 53.32, Code 2014, is amended to read as
17 follows:

18 **53.32 Ballot of deceased voter.**

19 When it shall be made to appear by due proof to the precinct
20 election officials that any elector, who has so marked and
21 forwarded a ballot, has died before the ~~affidavit~~ envelope
22 imprinted with the affidavit is opened, then the ballot of
23 such deceased voter shall be endorsed, "Rejected because voter
24 is dead", and be returned to the commissioner; ~~but the~~. The
25 casting of the ballot of a deceased voter shall not invalidate
26 the election.

27 Sec. 22. Section 53.38, Code 2014, is amended to read as
28 follows:

29 **53.38 What constitutes registration.**

30 Whenever a ballot is requested pursuant to section 53.39 or
31 53.45 on behalf of a voter in the armed forces of the United
32 States, the affidavit upon the ~~affidavit~~ envelope imprinted
33 with the affidavit of such voter, if the voter is found to
34 be an eligible elector of the county to which the ballot is
35 submitted, shall constitute a sufficient registration under

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1 chapter 48A. A completed federal postcard registration and
2 federal absentee ballot request form submitted by such eligible
3 elector shall also constitute a sufficient registration under
4 chapter 48A. The commissioner shall place the voter's name
5 on the registration record as a registered voter if it does
6 not already appear there. The identification requirements of
7 section 48A.8 and the verification requirements of section
8 48A.25A do not apply to persons who register to vote under this
9 division.

10 Sec. 23. Section 53.40, subsection 3, Code 2014, is amended
11 to read as follows:

12 3. If the affidavit on the ~~affidavit~~ envelope imprinted
13 with the affidavit shows that the affiant is not a qualified
14 voter on the day of the election at which the ballot is
15 offered for voting, the envelope shall not be opened, but
16 the envelope and ballot contained in the envelope shall be
17 preserved and returned by the precinct election officials to
18 the commissioner, who shall preserve them for the period of
19 time and under the conditions provided for in sections 50.12,
20 50.13, 50.15, and 50.19.

21 Sec. 24. Section 53.44, unnumbered paragraph 1, Code 2014,
22 is amended to read as follows:

23 The affidavit on the ~~affidavit~~ envelope imprinted with the
24 affidavit used in connection with voting by absentee ballot
25 under this division by members of the armed forces of the
26 United States need not be notarized or witnessed, but the
27 affidavit on such envelope shall be completed and signed by the
28 voter.

29 Sec. 25. REPEAL. Sections 53.13 and 53.14, Code 2014, are
30 repealed.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the administration of elections and
35 voter registration.

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1 Under current law, voter registration closes at 5:00 p.m.
2 10 days prior to a general or primary election and 11 days
3 prior to all other elections. The bill requires that voter
4 registration close 11 days prior to primary elections.
5 Relating to completed absentee ballots mailed to the
6 commissioner, the bill provides that in order for an absentee
7 ballot to be counted, the return envelope must be received in
8 the commissioner's office before the polls close on election
9 day. Under current law, in order to be counted, the absentee
10 ballot must be received before the polls close on election
11 day or must be postmarked not later than the day before the
12 election and received by the county commissioner of elections
13 no later than 12:00 p.m. on the Monday following that election.
14 Relating to the envelopes provided to absentee voters, under
15 current law, absentee ballots mailed to a voter are required
16 to be enclosed in an unsealed envelope bearing a serial number
17 and an affidavit, which are then required to be enclosed in or
18 with a return envelope, all of which are then required to be
19 enclosed in a third envelope to be sent to the registered voter
20 requesting an absentee ballot.
21 The bill allows for an affidavit to be imprinted on the
22 return envelope. If a return envelope imprinted with the
23 affidavit is used, absentee ballots mailed to a voter are
24 required to be enclosed in the unsealed return envelope
25 imprinted with the affidavit which is required to be enclosed
26 in a second envelope to be sent to the registered voter
27 requesting an absentee ballot. The bill allows a county
28 commissioner of elections to continue sending absentee ballots
29 as provided under current law or to send absentee ballots
30 utilizing a return envelope imprinted with the affidavit. The
31 bill makes additional conforming changes.
32 The bill also repeals Code section 53.14 which requires that
33 the printed affidavit designate the voter's party affiliation
34 if the ballot enclosed is a primary election ballot.



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Senate Study Bill 3132 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BUDGET
BILL)

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the department of
3 transportation, including allocation and use of moneys from
4 the road use tax fund and the primary road fund.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. 2013 Iowa Acts, chapter 134, section 3, is
2 amended to read as follows:

3 SEC. 3. ROAD USE TAX FUND. There is appropriated from the
4 road use tax fund created in section 312.1 to the department of
5 transportation for the fiscal year beginning July 1, 2014, and
6 ending June 30, 2015, the following amounts, or so much thereof
7 as is necessary, to be used for the purposes designated:

8 1. For the payment of costs associated with the production
9 of driver's licenses, as defined in section 321.1, subsection
10 20A:

11 \$ ~~1,938,000~~
12 3,876,000

13 Notwithstanding section 8.33, moneys appropriated in this
14 subsection that remain unencumbered or unobligated at the close
15 of the fiscal year shall not revert but shall remain available
16 for expenditure for the purposes specified in this subsection
17 until the close of the succeeding fiscal year.

18 2. For salaries, support, maintenance, and miscellaneous
19 purposes:

20 a. Operations:

21 \$ ~~3,192,480~~
22 6,384,960

23 b. Planning:

24 \$ ~~207,000~~
25 414,000

26 c. Motor vehicles:

27 \$ ~~16,960,500~~
28 34,616,659

29 d. Performance and technology:

30 \$ ~~230,020~~
31 460,040

32 3. For payments to the department of administrative
33 services for utility services:

34 \$ ~~107,500~~
35 235,125

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1	4. Unemployment compensation:	
2	\$ 3,500
3		<u>7,000</u>
4	5. For payments to the department of administrative	
5	services for paying workers' compensation claims under chapter	
6	85 on behalf of employees of the department of transportation:	
7	.....	\$ 57,000
8		<u>114,000</u>
9	6. For payment to the general fund of the state for indirect	
10	cost recoveries:	
11	.....	\$ 39,000
12		<u>78,000</u>
13	7. For reimbursement to the auditor of state for audit	
14	expenses as provided in section 11.5B:	
15	.....	\$ 33,660
16		<u>67,319</u>
17	8. For automation, telecommunications, and related costs	
18	associated with the county issuance of driver's licenses and	
19	vehicle registrations and titles:	
20	.....	\$ 703,000
21		<u>1,406,000</u>
22	9. For transfer to the department of public safety for	
23	operating a system providing toll-free telephone road and	
24	weather conditions information:	
25	.....	\$ 50,000
26		<u>100,000</u>
27	10. For costs associated with the participation in the	
28	Mississippi river parkway commission:	
29	.....	\$ 20,000
30		<u>40,000</u>
31	11. For motor vehicle division field facility maintenance	
32	projects at various locations:	
33	\$ 100,000
34		<u>200,000</u>
35	For purposes of section 8.33, unless specifically provided	

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1 otherwise, moneys appropriated in subsection 11 that remain
2 unencumbered or unobligated shall not revert but shall remain
3 available for expenditure for the purposes designated until
4 the close of the fiscal year that ends three years after the
5 end of the fiscal year for which the appropriation was made.
6 However, if the projects for which the appropriation was
7 made are completed in an earlier fiscal year, unencumbered
8 or unobligated moneys shall revert at the close of that same
9 fiscal year.

10 Sec. 2. 2013 Iowa Acts, chapter 134, section 4, is amended
11 to read as follows:

12 SEC. 4. PRIMARY ROAD FUND. There is appropriated from the
13 primary road fund created in section 313.3 to the department of
14 transportation for the fiscal year beginning July 1, 2014, and
15 ending June 30, 2015, the following amounts, or so much thereof
16 as is necessary, to be used for the purposes designated:

17 1. For salaries, support, maintenance, and miscellaneous
18 purposes, ~~and for not more than the following full-time~~
19 ~~equivalent positions:~~

20 a. Operations:

21	\$ 19,612,953
22	<u>39,225,906</u>
23	FTEs <u>266.00</u>

24 b. Planning:

25	\$ 3,932,727
26	<u>7,865,454</u>
27	FTEs <u>102.00</u>

28 c. Highways:

29	\$ 116,015,648
30	<u>235,717,855</u>
31	FTEs <u>2,057.00</u>

32 d. Motor vehicles:

33	\$ 706,770
34	<u>1,460,575</u>
35	FTEs <u>410.00</u>

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1	e. Performance and technology:	
2	\$ 1,412,980
3		<u>2,825,960</u>
4 FTEs	<u>35.00</u>
5	2. For payments to the department of administrative	
6	services for utility services:	
7	.....	\$ 660,500
8		<u>1,444,627</u>
9	3. Unemployment compensation:	
10	.....	\$ 69,000
11		<u>138,000</u>
12	4. For payments to the department of administrative	
13	services for paying workers' compensation claims under	
14	chapter 85 on behalf of the employees of the department of	
15	transportation:	
16	.....	\$ 1,371,500
17		<u>2,743,000</u>
18	5. For disposal of hazardous wastes from field locations and	
19	the central complex:	
20	.....	\$ 400,000
21		<u>800,000</u>
22	6. For payment to the general fund of the state for indirect	
23	cost recoveries:	
24	.....	\$ 286,000
25		<u>572,000</u>
26	7. For reimbursement to the auditor of state for audit	
27	expenses as provided in section 11.5B:	
28	.....	\$ 207,591
29		<u>415,181</u>
30	8. For costs associated with producing transportation maps:	
31	.....	\$ 80,000
32		<u>242,000</u>
33	9. For inventory and equipment replacement:	
34	\$ 2,683,000
35		<u>5,366,000</u>

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1	10.	For utility improvements at various locations:		
2		\$	200,000
3				<u>400,000</u>
4	11.	For roofing projects at various locations:		
5	.....		\$	250,000
6				<u>500,000</u>
7	12.	For heating, cooling, and exhaust system improvements		
8	at various locations:			
9	.....		\$	250,000
10				<u>700,000</u>
11	13.	For deferred maintenance projects at field facilities		
12	throughout the state:			
13	.....		\$	750,000
14				<u>1,700,000</u>
15	14.	For wastewater treatment improvements at various		
16	locations:			
17	.....		\$	500,000
18				<u>1,000,000</u>
19	15.	For replacement of the Des Moines north garage:		
20	.....		\$	3,176,500
21				<u>6,353,000</u>
22	<u>16.</u>	<u>For the remodel and purchase of equipment to relocate</u>		
23	<u>the traffic operations center to the Ankeny motor vehicle</u>			
24	<u>facility:</u>			
25	.....		\$	730,000
26		For purposes of section 8.33, unless specifically provided		
27	otherwise, moneys appropriated in subsections 10 through 15			
28	<u>16</u> that remain unencumbered or unobligated shall not revert			
29	but shall remain available for expenditure for the purposes			
30	designated until the close of the fiscal year that ends			
31	three years after the end of the fiscal year for which the			
32	appropriation was made. However, if the project or projects			
33	for which such appropriation was made are completed in an			
34	earlier fiscal year, unencumbered or unobligated moneys shall			
35	revert at the close of that same fiscal year.			

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1 EXPLANATION

2 The inclusion of this explanation does not constitute agreement with
3 the explanation's substance by the members of the general assembly.

4 This bill makes and limits appropriations for FY 2014-2015
5 from the road use tax fund and the primary road fund to the
6 department of transportation.

7 Appropriations from the road use tax fund include
8 appropriations for driver's license production costs,
9 operations, planning, motor vehicles, performance and
10 technology, utility services provided by the department
11 of administrative services, unemployment and workers'
12 compensation, indirect cost recoveries, audits, county issuance
13 of driver's licenses and vehicle registration and titling, a
14 system providing toll-free telephone road and weather reports,
15 participation in the Mississippi river parkway commission, and
16 motor vehicle division field facility maintenance projects.

17 Appropriations from the primary road fund include
18 appropriations for operations, planning, highways, motor
19 vehicles, performance and technology, utility services provided
20 by the department of administrative services, unemployment
21 and workers' compensation, hazardous waste disposal, indirect
22 cost recoveries, audits, production of transportation maps,
23 inventory and equipment replacement, utility projects,
24 roofing projects, heating and cooling improvements, deferred
25 maintenance at field facilities, wastewater treatment
26 improvements, replacement of the Des Moines north garage, and
27 relocation of the traffic operations center to the Ankeny motor
28 vehicle facility.



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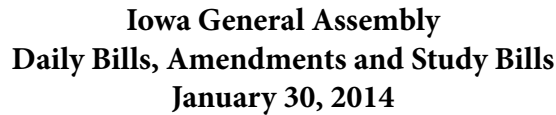
Senate Study Bill 3133 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR BUDGET
BILL)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and veterans and including other related provisions and
3 appropriations, and including effective and applicability
4 date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 DEPARTMENT ON AGING

3 Section 1. 2013 Iowa Acts, chapter 138, section 131, is
4 amended to read as follows:

5 SEC. 131. DEPARTMENT ON AGING. There is appropriated from
6 the general fund of the state to the department on aging for
7 the fiscal year beginning July 1, 2014, and ending June 30,
8 2015, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 For aging programs for the department on aging and area
11 agencies on aging to provide citizens of Iowa who are 60 years
12 of age and older with case management for frail elders, Iowa's
13 aging and disabilities resource center, and other services
14 which may include but are not limited to adult day services,
15 respite care, chore services, information and assistance,
16 and material aid, for information and options counseling for
17 persons with disabilities who are 18 years of age or older,
18 and for salaries, support, administration, maintenance, and
19 miscellaneous purposes, ~~and for not more than the following~~
20 ~~full-time equivalent positions:~~

21	\$ 5,300,190
22	<u>10,931,066</u>
23	FTEs <u>28.00</u>

24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved
31 by an area agency on aging for provision of the service within
32 the area.

33 2. Of the funds appropriated in this section, \$139,973
34 \$279,946 is transferred to the economic development authority
35 for the Iowa commission on volunteer services to be used for



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1 the retired and senior volunteer program.

2 3. a. The department on aging shall establish and enforce
3 procedures relating to expenditure of state and federal funds
4 by area agencies on aging that require compliance with both
5 state and federal laws, rules, and regulations, including but
6 not limited to all of the following:

7 (1) Requiring that expenditures are incurred only for goods
8 or services received or performed prior to the end of the
9 fiscal period designated for use of the funds.

10 (2) Prohibiting prepayment for goods or services not
11 received or performed prior to the end of the fiscal period
12 designated for use of the funds.

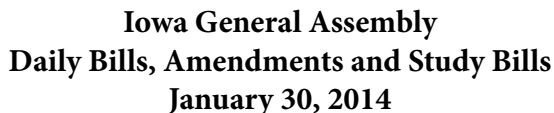
13 (3) Prohibiting the prepayment for goods or services
14 not defined specifically by good or service, time period, or
15 recipient.

16 (4) Prohibiting the establishment of accounts from which
17 future goods or services which are not defined specifically by
18 good or service, time period, or recipient, may be purchased.

19 b. The procedures shall provide that if any funds are
20 expended in a manner that is not in compliance with the
21 procedures and applicable federal and state laws, rules, and
22 regulations, and are subsequently subject to repayment, the
23 area agency on aging expending such funds in contravention of
24 such procedures, laws, rules and regulations, not the state,
25 shall be liable for such repayment.

26 4. Of the funds appropriated in this section, ~~\$125,000~~
27 \$250,000 shall be used to fund ~~services to meet~~ the unmet needs
28 ~~of older individuals as identified in the annual compilation~~
29 ~~of unmet service units by the area agencies on aging through~~
30 Iowa's aging and disability resource center network.

31 5. Of the funds appropriated in this section, ~~\$300,000~~
32 \$600,000 shall be used to fund home and community-based
33 services through the area agencies on aging that enable older
34 individuals to avoid more costly utilization of residential or
35 institutional services and remain in their own homes.



1 6. Of the funds appropriated in this subsection, ~~\$10,000~~
2 \$20,000 shall be used for implementation of a guardianship and
3 conservatorship monitoring and assistance pilot project as
4 specified in this Act.

OFFICE OF LONG-TERM CARE RESIDENT'S ADVOCATE

7 Sec. 2. 2013 Iowa Acts, chapter 138, section 132, is amended
8 to read as follows:

9 SEC. 132. OFFICE OF LONG-TERM CARE RESIDENT'S
10 ADVOCATE. There is appropriated from the general fund of the
11 state to the office of long-term care resident's advocate for
12 the fiscal year beginning July 1, 2014, and ending June 30,
13 2015, the following amount, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 For salaries, support, administration, maintenance, and
16 miscellaneous purposes, ~~and for not more than the following~~
17 ~~full-time equivalent positions:~~

18	.....	\$	510,854
19			<u>929,315</u>
20	.....	FTEs	13.00

21 2. Of the funds appropriated in this section, \$105,000
22 \$210,000 shall be used to provide two local long-term care
23 resident's advocates to administer the certified volunteer
24 long-term care resident's advocates program pursuant to section
25 231.45, including operational certification and training costs.

DEPARTMENT OF PUBLIC HEALTH

28 Sec. 3. 2013 Iowa Acts, chapter 138, section 133, is amended
29 to read as follows:

30 SEC. 133. DEPARTMENT OF PUBLIC HEALTH. There is
31 appropriated from the general fund of the state to the
32 department of public health for the fiscal year beginning July
33 1, 2014, and ending June 30, 2015, the following amounts, or
34 so much thereof as is necessary, to be used for the purposes
35 designated:



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1 1. ADDICTIVE DISORDERS

2 For reducing the prevalence of use of tobacco, alcohol, and
3 other drugs, and treating individuals affected by addictive
4 behaviors, including gambling, ~~and for not more than the~~
5 ~~following full-time equivalent positions:~~

6	\$ 13,581,845
7	<u>27,088,690</u>
8	FTEs <u>13.00</u>

9 a. (1) Of the funds appropriated in this subsection,
10 ~~\$2,574,181~~ \$5,073,361 shall be used for the tobacco use
11 prevention and control initiative, including efforts at the
12 state and local levels, as provided in chapter 142A. The
13 commission on tobacco use prevention and control established
14 pursuant to section 142A.3 shall advise the director of
15 public health in prioritizing funding needs and the allocation
16 of moneys appropriated for the programs and activities of
17 the initiative under this subparagraph (1) and shall make
18 recommendations to the director in the development of budget
19 requests relating to the initiative.

20 (2) Of the funds allocated in this paragraph "a", ~~\$37,500~~
21 ~~shall be used to develop a social media structure to engage~~
22 ~~youth and prevent youth initiation of tobacco use. Of the~~
23 ~~amount allocated in this subparagraph (2), \$12,500~~ \$25,000
24 shall be used for a youth summit.

25 (3) Of the funds allocated in this paragraph "a", ~~\$100,000~~
26 \$200,000 shall be used to increase the efficacy of local
27 tobacco control efforts by community partnerships, including
28 through professional development, regional trainings and round
29 table planning efforts, and a training opportunity involving
30 all community partnerships.

31 (4) Of the funds allocated in this paragraph "a", ~~\$600,000~~
32 \$1,950,000 shall be used to promote smoking cessation and to
33 reduce the number of tobacco users in the state by offering
34 nicotine replacement therapy to uninsured and underinsured
35 Iowans.



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1 (5) (a) Of the funds allocated in this paragraph "a",
2 ~~\$226,534~~ \$453,067 is transferred to the alcoholic beverages
3 division of the department of commerce for enforcement of
4 tobacco laws, regulations, and ordinances and to engage in
5 tobacco control activities approved by the division of tobacco
6 use prevention and control as specified in the memorandum of
7 understanding entered into between the divisions.

8 (b) For the fiscal year beginning July 1, 2014, and ending
9 June 30, 2015, the terms of the memorandum of understanding,
10 entered into between the division of tobacco use prevention
11 and control of the department of public health and the
12 alcoholic beverages division of the department of commerce,
13 governing compliance checks conducted to ensure licensed retail
14 tobacco outlet conformity with tobacco laws, regulations, and
15 ordinances relating to persons under eighteen years of age,
16 shall restrict the number of such checks to one check per
17 retail outlet, and one additional check for any retail outlet
18 found to be in violation during the first check.

19 b. Of the funds appropriated in this subsection,
20 ~~\$11,007,665~~ \$22,015,329 shall be used for problem gambling and
21 substance-related disorder prevention, treatment, and recovery
22 services, including a 24-hour helpline, public information
23 resources, professional training, and program evaluation.

24 (1) Of the funds allocated in this paragraph "b", ~~\$9,451,858~~
25 \$18,903,715 shall be used for substance-related disorder
26 prevention and treatment.

27 (a) Of the funds allocated in this subparagraph (1),
28 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
29 grant program to provide substance-related disorder prevention
30 programming for children.

31 (i) Of the funds allocated in this subparagraph division
32 (a), ~~\$213,770~~ \$427,539 shall be used for grant funding for
33 organizations that provide programming for children by
34 utilizing mentors. Programs approved for such grants shall be
35 certified or will be certified within six months of receiving



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1 the grant award by the Iowa commission on volunteer services as
2 utilizing the standards for effective practice for mentoring
3 programs.

4 (ii) Of the funds allocated in this subparagraph division
5 (a), ~~\$213,420~~ \$426,839 shall be used for grant funding for
6 organizations that provide programming that includes youth
7 development and leadership. The programs shall also be
8 recognized as being programs that are scientifically based with
9 evidence of their effectiveness in reducing substance-related
10 disorders in children.

11 (iii) The department of public health shall utilize a
12 request for proposals process to implement the grant program.

13 (iv) All grant recipients shall participate in a program
14 evaluation as a requirement for receiving grant funds.

15 (v) Of the funds allocated in this subparagraph division
16 (a), up to ~~\$22,461~~ \$44,922 may be used to administer
17 substance-related disorder prevention grants and for program
18 evaluations.

19 (b) Of the funds allocated in this subparagraph (1),
20 ~~\$136,302~~ \$272,603 shall be used for culturally competent
21 substance-related disorder treatment pilot projects.

22 (i) The department shall utilize the amount allocated
23 in this subparagraph division (b) for at least three pilot
24 projects to provide culturally competent substance-related
25 disorder treatment in various areas of the state. Each pilot
26 project shall target a particular ethnic minority population.
27 The populations targeted shall include but are not limited to
28 African American, Asian, and Latino.

29 (ii) The pilot project requirements shall provide for
30 documentation or other means to ensure access to the cultural
31 competence approach used by a pilot project so that such
32 approach can be replicated and improved upon in successor
33 programs.

34 (2) Of the funds allocated in this paragraph "b", up
35 to ~~\$1,555,807~~ \$3,111,614 may be used for problem gambling



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1 prevention, treatment, and recovery services.

2 (a) Of the funds allocated in this subparagraph (2),
3 ~~\$1,286,881~~ \$2,573,762 shall be used for problem gambling
4 prevention and treatment.

5 (b) Of the funds allocated in this subparagraph (2), up to
6 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
7 information resources, professional training, and program
8 evaluation.

9 (c) Of the funds allocated in this subparagraph (2), up
10 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
11 gambling treatment programs.

12 (3) It is the intent of the general assembly that from the
13 moneys allocated in this paragraph "b", persons with a dual
14 diagnosis of substance-related disorder and gambling addiction
15 shall be given priority in treatment services.

16 c. Notwithstanding any provision of law to the contrary,
17 to standardize the availability, delivery, cost of delivery,
18 and accountability of problem gambling and substance-related
19 disorder treatment services statewide, the department shall
20 continue implementation of a process to create a system
21 for delivery of treatment services in accordance with the
22 requirements specified in 2008 Iowa Acts, chapter 1187, section
23 3, subsection 4. To ensure the system provides a continuum
24 of treatment services that best meets the needs of Iowans,
25 the problem gambling and substance-related disorder treatment
26 services in any area may be provided either by a single agency
27 or by separate agencies submitting a joint proposal.

28 (1) The system for delivery of substance-related disorder
29 and problem gambling treatment shall include problem gambling
30 prevention.

31 (2) The system for delivery of substance-related disorder
32 and problem gambling treatment shall include substance-related
33 disorder prevention by July 1, 2015.

34 (3) Of the funds allocated in paragraph "b", the department
35 may use up to ~~\$50,000~~ \$100,000 for administrative costs to

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1 continue developing and implementing the process in accordance
2 with this paragraph "c".

3 d. The requirement of section 123.53, subsection 5, is met
4 by the appropriations and allocations made in this Act for
5 purposes of substance-related disorder treatment and addictive
6 disorders for the fiscal year beginning July 1, 2014.

7 e. The department of public health shall work with all
8 other departments that fund substance-related disorder
9 prevention and treatment services and all such departments
10 shall, to the extent necessary, collectively meet the state
11 maintenance of effort requirements for expenditures for
12 substance-related disorder services as required under the
13 federal substance-related disorder prevention and treatment
14 block grant.

15 2. HEALTHY CHILDREN AND FAMILIES

16 For promoting the optimum health status for children,
17 adolescents from birth through 21 years of age, and families,
18 ~~and for not more than the following full-time equivalent~~
19 ~~positions:~~

20	\$	1,826,780
21		<u>3,628,559</u>
22	FTEs	<u>14.00</u>

23 a. Of the funds appropriated in this subsection, not
24 more than ~~\$367,421~~ \$734,841 shall be used for the healthy
25 opportunities for parents to experience success (HOPES)-healthy
26 families Iowa (HFI) program established pursuant to section
27 135.106. The funding shall be distributed to renew the grants
28 that were provided to the grantees that operated the program
29 during the fiscal year ending June 30, 2014.

30 b. In order to implement the legislative intent stated in
31 sections 135.106 and 256I.9, that priority for home visitation
32 program funding be given to programs using evidence-based or
33 promising models for home visitation, it is the intent of the
34 general assembly to phase in the funding priority in accordance
35 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,



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1 paragraph 0b.

2 c. Of the funds appropriated in this subsection, ~~\$663,944~~
3 \$1,327,887 shall be used to continue the department's
4 initiative to provide for adequate developmental surveillance
5 and screening during a child's first five years statewide. The
6 funds shall be used first to fully fund the current sites to
7 ensure that the sites are fully operational, with the remaining
8 funds to be used for expansion to additional sites. The full
9 implementation and expansion shall include enhancing the scope
10 of the program through collaboration with the child health
11 specialty clinics to promote healthy child development through
12 early identification and response to both biomedical and social
13 determinants of healthy development; by developing child
14 health metrics to inform practice, document long-term health
15 impacts and savings, and provide for continuous improvement
16 through training, education, and evaluation; and by providing
17 for practitioner consultation particularly for children with
18 behavioral conditions and needs. The department of public
19 health shall also collaborate with the Iowa Medicaid enterprise
20 and the child health specialty clinics to integrate the
21 activities of the first five initiative into the establishment
22 of patient-centered medical homes, community utilities,
23 accountable care organizations, and other integrated care
24 models developed to improve health quality and population
25 health while reducing health care costs. To the maximum extent
26 possible, funding allocated in this paragraph shall be utilized
27 as matching funds for medical assistance program reimbursement.

28 d. Of the funds appropriated in this subsection, ~~\$15,799~~
29 \$31,597 shall be distributed to a statewide dental carrier to
30 provide funds to continue the donated dental services program
31 patterned after the projects developed by the lifeline network
32 to provide dental services to indigent elderly and disabled
33 individuals.

34 e. Of the funds appropriated in this subsection, ~~\$55,998~~
35 \$111,995 shall be used for childhood obesity prevention.



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1 f. Of the funds appropriated in this subsection, ~~\$81,384~~
2 \$137,768 shall be used to provide audiological services and
3 hearing aids for children. The department may enter into a
4 contract to administer this paragraph.

5 g. Of the funds appropriated in this subsection, ~~\$12,500~~
6 \$25,000 is transferred to the university of Iowa college of
7 dentistry for provision of primary dental services to children.
8 State funds shall be matched on a dollar-for-dollar basis.
9 The university of Iowa college of dentistry shall coordinate
10 efforts with the department of public health, bureau of
11 oral and health delivery systems, to provide dental care to
12 underserved populations throughout the state.

13 h. Of the funds appropriated in this subsection, ~~\$25,000~~
14 \$50,000 shall be used to address youth suicide prevention.

15 3. CHRONIC CONDITIONS

16 For serving individuals identified as having chronic
17 conditions or special health care needs, ~~and for not more than~~
18 ~~the following full-time equivalent positions:~~

19	\$	2,540,346
20		<u>5,040,692</u>
21	FTEs	<u>6.00</u>

22 a. Of the funds appropriated in this subsection, ~~\$79,966~~
23 \$159,932 shall be used for grants to individual patients
24 who have phenylketonuria (PKU) to assist with the costs of
25 necessary special foods.

26 b. Of the funds appropriated in this subsection, ~~\$445,822~~
27 \$891,644 shall be used for the brain injury services program
28 pursuant to section 135.22B, including for continuation of the
29 contracts for resource facilitator services in accordance with
30 section 135.22B, subsection 9, and to enhance brain injury
31 training and recruitment of service providers on a statewide
32 basis. ~~Of the amount allocated in this paragraph, \$47,500~~
33 ~~shall be used to fund one full-time equivalent position to~~
34 ~~serve as the state brain injury service program manager.~~

35 c. Of the funds appropriated in this subsection, ~~\$273,991~~

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1 \$547,982 shall be used as additional funding to leverage
2 federal funding through the federal Ryan White Care Act, Tit.
3 II, AIDS drug assistance program supplemental drug treatment
4 grants.

5 d. Of the funds appropriated in this subsection, ~~\$49,912~~
6 \$99,823 shall be used for the public purpose of continuing to
7 contract with an existing national-affiliated organization
8 to provide education, client-centered programs, and client
9 and family support for people living with epilepsy and their
10 families.

11 e. Of the funds appropriated in this subsection, ~~\$392,557~~
12 \$785,114 shall be used for child health specialty clinics.

13 f. Of the funds appropriated in this subsection,
14 ~~\$200,000~~ \$400,000 shall be used by the regional autism
15 assistance program established pursuant to section 256.35,
16 and administered by the child health specialty clinic located
17 at the university of Iowa hospitals and clinics. The funds
18 shall be used to enhance interagency collaboration and
19 coordination of educational, medical, and other human services
20 for persons with autism, their families, and providers of
21 services, including delivering regionalized services of care
22 coordination, family navigation, and integration of services
23 through the statewide system of regional child health specialty
24 clinics and fulfilling other requirements as specified in
25 chapter 225D, creating the autism support program, as enacted
26 in this Act. The university of Iowa shall not receive funds
27 allocated under this paragraph for indirect costs associated
28 with the regional autism assistance program.

29 g. Of the funds appropriated in this subsection, ~~\$285,497~~
30 \$444,543 shall be used for the comprehensive cancer control
31 program to reduce the burden of cancer in Iowa through
32 prevention, early detection, effective treatment, and ensuring
33 quality of life. Of the funds allocated in this lettered
34 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
35 research symposium, a melanoma biorepository and registry,

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1 basic and translational melanoma research, and clinical trials.

2 h. Of the funds appropriated in this subsection, ~~\$63,225~~
3 \$126,450 shall be used for ~~cervical~~ and colon cancer screening,
4 and ~~\$250,000~~ \$500,000 shall be used to enhance the capacity of
5 the breast and cervical cancer screening program to include
6 provision of recommended prevention and early detection
7 measures to a broader range of low-income women.

8 i. Of the funds appropriated in this subsection, ~~\$263,348~~
9 \$526,695 shall be used for the center for congenital and
10 inherited disorders.

11 j. Of the funds appropriated in this subsection, ~~\$64,706~~
12 \$129,411 shall be used for the prescription drug donation
13 repository program created in chapter 135M.

14 k. Of the funds appropriated in this subsection, ~~\$107,632~~
15 \$175,263 shall be used for the costs of the medical home system
16 advisory council established pursuant to section 135.159
17 including incorporation of the development and implementation
18 of the prevention and chronic care management state initiative.

19 4. COMMUNITY CAPACITY

20 For strengthening the health care delivery system at the
21 local level, ~~and for not more than the following full-time~~
22 ~~equivalent positions:~~

23	\$	4,281,309
24		<u>9,562,617</u>
25	FTEs	18.25

26 a. Of the funds appropriated in this subsection, ~~\$49,707~~
27 \$99,414 is allocated for continuation of the child vision
28 screening program implemented through the university of Iowa
29 hospitals and clinics in collaboration with early childhood
30 Iowa areas. The program shall submit a report to the
31 individuals identified in this Act for submission of reports
32 regarding the use of funds allocated under this paragraph
33 "a". The report shall include the objectives and results for
34 the program year including the target population and how the
35 funds allocated assisted the program in meeting the objectives;

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1 the number, age, and location within the state of individuals
2 served; the type of services provided to the individuals
3 served; the distribution of funds based on service provided;
4 and the continuing needs of the program.

5 b. Of the funds appropriated in this subsection, ~~\$55,328~~
6 \$110,656 is allocated for continuation of an initiative
7 implemented at the university of Iowa and ~~\$49,952~~ \$99,904
8 is allocated for continuation of an initiative at the state
9 mental health institute at Cherokee to expand and improve the
10 workforce engaged in mental health treatment and services.
11 The initiatives shall receive input from the university of
12 Iowa, the department of human services, the department of
13 public health, and the mental health and disability services
14 commission to address the focus of the initiatives.

15 c. Of the funds appropriated in this subsection, ~~\$582,314~~
16 \$1,164,628 shall be used for essential public health services
17 that promote healthy aging throughout the lifespan, contracted
18 through a formula for local boards of health, to enhance health
19 promotion and disease prevention services.

20 d. Of the funds appropriated in this section, ~~\$49,643~~
21 \$99,286 shall be deposited in the governmental public health
22 system fund created in section 135A.8 to be used for the
23 purposes of the fund.

24 e. Of the funds appropriated in this subsection, ~~\$52,724~~
25 \$105,448 shall be used to continue to address the shortage of
26 mental health professionals in the state.

27 f. Of the funds appropriated in this subsection, ~~\$25,000~~
28 \$50,000 shall be used for a grant to a statewide association
29 of psychologists that is affiliated with the American
30 psychological association to be used for continuation of a
31 program to rotate intern psychologists in placements in urban
32 and rural mental health professional shortage areas, as defined
33 in section 135.180.

34 g. Of the funds appropriated in this subsection, the
35 following amounts shall be allocated to the Iowa collaborative

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1 safety net provider network established pursuant to section
2 135.153 to be used for the purposes designated. The following
3 amounts allocated under this lettered paragraph shall be
4 distributed to the specified provider and shall not be reduced
5 for administrative or other costs prior to distribution:

6 (1) For distribution to the Iowa primary care association
7 for statewide coordination of the Iowa collaborative safety net
8 provider network:

9 \$ 72,893
10 145,785

11 (2) For distribution to the Iowa primary care association
12 to be used to continue a training program for sexual assault
13 response team (SART) members, including representatives of
14 law enforcement, victim advocates, prosecutors, and certified
15 medical personnel:

16 \$ 25,000
17 50,000

18 (3) For distribution to federally qualified health centers
19 for necessary infrastructure, statewide coordination, provider
20 recruitment, service delivery, and provision of assistance to
21 patients in securing a medical home inclusive of oral health
22 care:

23 \$ 37,500
24 75,000

25 (4) For distribution to the local boards of health that
26 provide direct services for pilot programs in three counties to
27 assist patients in securing a medical home inclusive of oral
28 health care:

29 \$ 38,577
30 77,153

31 (5) For distribution to maternal and child health centers
32 for pilot programs in three service areas to assist patients in
33 securing a medical home inclusive of oral health care:

34 \$ 47,563
35 95,126

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1 (6) For distribution to free clinics for necessary
2 infrastructure, statewide coordination, provider recruitment,
3 service delivery, and provision of assistance to patients in
4 securing a medical home inclusive of oral health care:
5 \$ ~~174,161~~
6 348,322
7 (7) For distribution to rural health clinics for necessary
8 infrastructure, statewide coordination, provider recruitment,
9 service delivery, and provision of assistance to patients in
10 securing a medical home inclusive of oral health care:
11 \$ ~~70,772~~
12 141,544
13 (8) For continuation of the safety net provider patient
14 access to a specialty health care initiative as described in
15 2007 Iowa Acts, chapter 218, section 109:
16 \$ ~~189,237~~
17 378,474
18 (9) For continuation of the pharmaceutical infrastructure
19 for safety net providers as described in 2007 Iowa Acts,
20 chapter 218, section 108:
21 \$ ~~206,708~~
22 413,415
23 The Iowa collaborative safety net provider network may
24 continue to distribute funds allocated pursuant to this
25 lettered paragraph through existing contracts or renewal of
26 existing contracts.
27 ~~The Iowa collaborative safety net provider network may~~
28 ~~continue to distribute funds allocated pursuant to this~~
29 ~~lettered paragraph through existing contracts or renewal of~~
30 ~~existing contracts.~~
31 h. Of the funds appropriated in this subsection, ~~\$87,950~~
32 \$175,900 shall be used for continuation of the work of the
33 direct care worker advisory council established pursuant to
34 2008 Iowa Acts, chapter 1188, section 69, in implementing the
35 recommendations in the final report submitted by the advisory

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1 council to the governor and the general assembly in March 2012.
2 i. (1) Of the funds appropriated in this subsection,
3 ~~\$89,438~~ \$178,875 shall be used for allocation to an independent
4 statewide direct care worker organization under continuation
5 of the contract in effect during the fiscal year ending June
6 30, ~~2013~~ 2014, with terms determined by the director of public
7 health relating to education, outreach, leadership development,
8 mentoring, and other initiatives intended to enhance the
9 recruitment and retention of direct care workers in health care
10 and long-term care settings.
11 (2) Of the funds appropriated in this subsection, ~~\$37,500~~
12 \$75,000 shall be used to provide scholarships or other forms of
13 subsidization for direct care worker educational conferences,
14 training, or outreach activities.
15 j. Of the funds appropriated in this subsection, the
16 department may use up to ~~\$29,088~~ \$58,175 for up to one
17 full-time equivalent position to administer the volunteer
18 health care provider program pursuant to section 135.24.
19 k. Of the funds appropriated in this subsection, ~~\$24,854~~
20 \$49,707 shall be used for a matching dental education loan
21 repayment program to be allocated to a dental nonprofit health
22 service corporation to develop the criteria and implement the
23 loan repayment program.
24 l. Of the funds appropriated in this subsection, ~~\$52,912~~
25 \$105,823 is transferred to the college student aid commission
26 for deposit in the rural Iowa primary care trust fund created
27 in section 261.113 to be used for the purposes of the fund.
28 m. Of the funds appropriated in this subsection, ~~\$75,000~~
29 \$150,000 shall be used for the purposes of the Iowa donor
30 registry as specified in section 142C.18.
31 n. Of the funds appropriated in this subsection, ~~\$50,000~~
32 \$100,000 shall be used for continuation of a grant to a
33 nationally affiliated volunteer eye organization that has an
34 established program for children and adults and that is solely
35 dedicated to preserving sight and preventing blindness through

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1 education, nationally certified vision screening and training,
2 and community and patient service programs. The organization
3 shall submit a report to the individuals identified in this
4 Act for submission of reports regarding the use of funds
5 allocated under this paragraph "n". The report shall include
6 the objectives and results for the program year including
7 the target population and how the funds allocated assisted
8 the program in meeting the objectives; the number, age, and
9 location within the state of individuals served; the type of
10 services provided to the individuals served; the distribution
11 of funds based on services provided; and the continuing needs
12 of the program.

13 o. Of the funds appropriated in this subsection, ~~\$12,500~~
14 \$25,000 shall be used for the ~~establishment~~ continuation of a
15 wellness council under the direction of the director of public
16 health to increase support for wellness activities in the
17 state.

18 p. Of the funds appropriated in this section, ~~\$579,075~~
19 \$1,158,150 is allocated to the Iowa collaborative safety net
20 provider network established pursuant to section 135.153 to
21 be used for the continued development and implementation of a
22 statewide regionally based network to provide an integrated
23 approach to health care delivery through care coordination
24 that supports primary care providers and links patients with
25 community resources necessary to empower patients in addressing
26 biomedical and social determinants of health to improve health
27 outcomes. The Iowa collaborative safety net provider network
28 shall work in conjunction with the department of human services
29 to align the integrated network with the health care delivery
30 system model developed under the state innovation models
31 initiative grant. The Iowa collaborative safety net provider
32 network shall submit a progress report to the individuals
33 designated in this Act for submission of reports by December
34 31, 2014, including progress in developing and implementing the
35 network, how the funds were distributed and used in developing

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1 and implementing the network, and the remaining needs in
2 developing and implementing the network.

3 q. Of the funds appropriated in this subsection, ~~\$1,000,000~~
4 \$3,000,000 shall be deposited in the medical residency training
5 account created in section 135.175, subsection 5, paragraph
6 "a", and is appropriated from the account to the department
7 of public health to be used for the purposes of the medical
8 residency training state matching grants program as specified
9 in section 135.176.

10 r. Of the funds appropriated in this section, ~~\$25,000~~
11 \$50,000 shall be distributed to a statewide nonprofit
12 organization to be used for the public purpose of supporting
13 a partnership between medical providers and parents through
14 community health centers to promote reading and encourage
15 literacy skills so children enter school prepared for success
16 in reading.

17 5. HEALTHY AGING

18 To provide public health services that reduce risks and
19 invest in promoting and protecting good health over the
20 course of a lifetime with a priority given to older Iowans and
21 vulnerable populations:

22 \$ ~~3,648,571~~
23 7,297,142

24 6. ENVIRONMENTAL HAZARDS

25 For reducing the public's exposure to hazards in the
26 environment, primarily chemical hazards, ~~and for not more than~~
27 ~~the following full-time equivalent positions:~~

28 \$ 401,935
29 803,870
30 FTEs 4.00

31 Of the funds appropriated in this subsection, ~~\$268,875~~
32 \$537,750 shall be used for childhood lead poisoning provisions.

33 7. INFECTIOUS DISEASES

34 For reducing the incidence and prevalence of communicable
35 diseases, ~~and for not more than the following full-time~~

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1 ~~equivalent positions:~~
2 \$ 667,578
3 1,335,155
4 FTEs 4.00
5 8. PUBLIC PROTECTION
6 For protecting the health and safety of the public through
7 establishing standards and enforcing regulations, ~~and for not~~
8 ~~more than the following full-time equivalent positions:~~
9 \$ 1,639,386
10 3,297,127
11 FTEs 131.00
12 a. Of the funds appropriated in this subsection, not more
13 than ~~\$227,350~~ \$454,700 shall be credited to the emergency
14 medical services fund created in section 135.25. Moneys in
15 the emergency medical services fund are appropriated to the
16 department to be used for the purposes of the fund.
17 b. Of the funds appropriated in this subsection, ~~\$101,516~~
18 \$203,032 shall be used for sexual violence prevention
19 programming through a statewide organization representing
20 programs serving victims of sexual violence through the
21 department's sexual violence prevention program. The amount
22 allocated in this lettered paragraph shall not be used to
23 supplant funding administered for other sexual violence
24 prevention or victims assistance programs.
25 c. Of the funds appropriated in this subsection, ~~\$299,376~~
26 not more than \$598,751 shall be used for the state poison
27 control center.
28 9. RESOURCE MANAGEMENT
29 For establishing and sustaining the overall ability of the
30 department to deliver services to the public, ~~and for not more~~
31 ~~than the following full-time equivalent positions:~~
32 \$ 402,027
33 920,072
34 FTEs 5.00
35 The university of Iowa hospitals and clinics under the

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1 control of the state board of regents shall not receive
2 indirect costs from the funds appropriated in this section.
3 The university of Iowa hospitals and clinics billings to the
4 department shall be on at least a quarterly basis.

5 DIVISION IV

6 VETERANS

7 Sec. 4. 2013 Iowa Acts, chapter 138, section 134, is amended
8 to read as follows:

9 SEC. 134. DEPARTMENT OF VETERANS AFFAIRS. There is
10 appropriated from the general fund of the state to the
11 department of veterans affairs for the fiscal year beginning
12 July 1, 2014, and ending June 30, 2015, the following amounts,
13 or so much thereof as is necessary, to be used for the purposes
14 designated:

15 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

16 For salaries, support, maintenance, and miscellaneous
17 purposes, ~~and for not more than the following full-time~~
18 ~~equivalent positions:~~

19	\$	546,754
20		<u>1,095,951</u>
21	FTEs	13.00

22 ~~2. IOWA VETERANS HOME~~

23 ~~For salaries, support, maintenance, and miscellaneous~~
24 ~~purposes:~~

25	\$	3,762,857
----------	----	----------------------

26 ~~a. The Iowa veterans home billings involving the department~~
27 ~~of human services shall be submitted to the department on at~~
28 ~~least a monthly basis.~~

29 ~~b. If there is a change in the employer of employees~~
30 ~~providing services at the Iowa veterans home under a collective~~
31 ~~bargaining agreement, such employees and the agreement shall~~
32 ~~be continued by the successor employer as though there had not~~
33 ~~been a change in employer.~~

34 ~~c. Within available resources and in conformance with~~
35 ~~associated state and federal program eligibility requirements,~~

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1 ~~the Iowa veterans home may implement measures to provide~~
2 ~~financial assistance to or on behalf of veterans or their~~
3 ~~spouses who are participating in the community reentry program.~~

4 3. HOME OWNERSHIP ASSISTANCE PROGRAM

5 For transfer to the Iowa finance authority for the
6 continuation of the home ownership assistance program for
7 persons who are or were eligible members of the armed forces of
8 the United States, pursuant to section 16.54:

9 \$ 800,000
10 2,500,000

11 Sec. 5. 2013 Iowa Acts, chapter 138, is amended by adding
12 the following new section:

13 NEW SECTION. SEC. 134A. IOWA VETERANS HOME.

14 1. There is appropriated from the general fund of the state
15 to the Iowa veterans home for the fiscal year beginning July
16 1, 2014, and ending June 30, 2015, the following amount, or
17 so much thereof as is necessary, to be used for the purposes
18 designated:

19 For salaries, support, maintenance, and miscellaneous
20 purposes:

21 \$ 7,594,996

22 2. a. The Iowa veterans home billings involving the
23 department of human services shall be submitted to the
24 department on at least a monthly basis.

25 b. If there is a change in the employer of employees
26 providing services at the Iowa veterans home under a collective
27 bargaining agreement, such employees and the agreement shall
28 be continued by the successor employer as though there had not
29 been a change in employer.

30 c. Within available resources and in conformance with
31 associated state and federal program eligibility requirements,
32 the Iowa veterans home may implement measures to provide
33 financial assistance to or on behalf of veterans or their
34 spouses who are participating in the community reentry program.

35 Sec. 6. 2013 Iowa Acts, chapter 138, section 135, is amended

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1 to read as follows:

2 SEC. 135. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
3 AFFAIRS FUND STANDING APPROPRIATIONS. ~~Notwithstanding the~~
4 ~~standing appropriation in the following designated section for~~
5 ~~For the fiscal year beginning July 1, 2014, and ending June 30,~~
6 ~~2015, the amounts appropriated from the general fund of the~~
7 ~~state pursuant to that section for the following designated~~
8 ~~purposes shall not exceed the following amount:~~

9 For the amount of the appropriation for the county
10 commissions of veteran affairs fund under is limited to the
11 amount specified in section 35A.16, as amended by this 2014
12 Act:

13 \$ 495,000
14 990,000

15 DIVISION V

16 DEPARTMENT OF HUMAN SERVICES

17 Sec. 7. 2013 Iowa Acts, chapter 138, section 136, is amended
18 to read as follows:

19 SEC. 136. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
20 GRANT. There is appropriated from the fund created in section
21 8.41 to the department of human services for the fiscal year
22 beginning July 1, 2014, and ending June 30, 2015, from moneys
23 received under the federal temporary assistance for needy
24 families (TANF) block grant pursuant to the federal Personal
25 Responsibility and Work Opportunity Reconciliation Act of 1996,
26 Pub. L. No. 104-193, and successor legislation, the following
27 amounts, or so much thereof as is necessary, to be used for the
28 purposes designated:

29 1. To be credited to the family investment program account
30 and used for assistance under the family investment program
31 under chapter 239B:

32 \$ 9,058,474
33 14,231,391

34 2. To be credited to the family investment program account
35 and used for the job opportunities and basic skills (JOBS)

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1 program and implementing family investment agreements in
2 accordance with chapter 239B:
3 \$ ~~5,933,220~~
4 11,091,911
5 3. To be used for the family development and
6 self-sufficiency grant program in accordance with section
7 216A.107:
8 \$ ~~1,449,490~~
9 2,898,980
10 Notwithstanding section 8.33, moneys appropriated in this
11 subsection that remain unencumbered or unobligated at the close
12 of the fiscal year shall not revert but shall remain available
13 for expenditure for the purposes designated until the close of
14 the succeeding fiscal year. However, unless such moneys are
15 encumbered or obligated on or before September 30, 2015, the
16 moneys shall revert.
17 4. For field operations:
18 \$ ~~15,648,116~~
19 31,296,232
20 5. For general administration:
21 \$ ~~1,872,000~~
22 3,744,000
23 6. For state child care assistance:
24 \$ ~~12,866,344~~
25 27,947,110
26 a. The Of funds appropriated in this subsection are,
27 \$26,347,110 is transferred to the child care and development
28 block grant appropriation made by the Eighty-fifth General
29 Assembly, 2013 Session, for the federal fiscal year beginning
30 October 1, 2014, and ending September 30, 2015, in 2013
31 Iowa Acts, chapter 136, section 14. Of this amount,
32 \$100,000 \$200,000 shall be used for provision of educational
33 opportunities to registered child care home providers in order
34 to improve services and programs offered by this category
35 of providers and to increase the number of providers. The



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1 department may contract with institutions of higher education
2 or child care resource and referral centers to provide
3 the educational opportunities. Allowable administrative
4 costs under the contracts shall not exceed 5 percent. The
5 application for a grant shall not exceed two pages in length.

6 b. Any funds appropriated in this subsection remaining
7 unallocated shall be used for state child care assistance
8 payments for individuals enrolled in the family investment
9 program who are employed.

10 7. For distribution to counties and regions through the
11 ~~property tax relief~~ mental health and disability services fund
12 ~~for mental health and disability services as provided in an~~
13 ~~appropriation made for this purpose~~ for persons with mental
14 illness or an intellectual disability:

15 \$ 2,447,026
16 4,894,052

17 The moneys appropriated in this subsection shall be credited
18 to the mental health and disability regional services fund
19 created in section 225C.7A and shall be used by the department
20 of human services in accordance with an appropriation made for
21 this purpose.

22 8. For child and family services:

23 \$ 16,042,215
24 32,084,430

25 9. For child abuse prevention grants:

26 \$ 62,500
27 125,000

28 10. For pregnancy prevention grants on the condition that
29 family planning services are funded:

30 \$ 965,034
31 1,930,067

32 Pregnancy prevention grants shall be awarded to programs
33 in existence on or before July 1, 2014, if the programs have
34 demonstrated positive outcomes. Grants shall be awarded to
35 pregnancy prevention programs which are developed after July



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1 1, 2014, if the programs are based on existing models that
2 have demonstrated positive outcomes. Grants shall comply with
3 the requirements provided in 1997 Iowa Acts, chapter 208,
4 section 14, subsections 1 and 2, including the requirement that
5 grant programs must emphasize sexual abstinence. Priority in
6 the awarding of grants shall be given to programs that serve
7 areas of the state which demonstrate the highest percentage of
8 unplanned pregnancies of females of childbearing age within the
9 geographic area to be served by the grant.

10 11. For technology needs and other resources necessary
11 to meet federal welfare reform reporting, tracking, and case
12 management requirements:

13 \$ ~~518,593~~
14 1,037,186

15 The department shall transfer TANF block grant funding
16 appropriated and allocated in this subsection to the child care
17 and development block grant appropriation in accordance with
18 federal law as necessary to comply with the provisions of this
19 subsection.

20 12. For the family investment program share of the costs to
21 continue to develop and maintain a new, integrated eligibility
22 determination system:

23 \$ ~~2,525,226~~
24 939,458

25 13. a. Notwithstanding any provision to the contrary,
26 including but not limited to requirements in section 8.41 or
27 provisions in 2013 or 2014 Iowa Acts regarding the receipt and
28 appropriation of federal block grants, federal funds from the
29 temporary assistance for needy families block grant received
30 by the state not otherwise appropriated in this section and
31 remaining available for the fiscal year beginning July 1, 2014,
32 are appropriated to the department of human services to the
33 extent as may be necessary to be used in the following priority
34 order: the family investment program, for state child care
35 assistance program payments for individuals enrolled in the

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1 family investment program who are employed, and for the family
2 investment program share of costs to develop and maintain a
3 new, integrated eligibility determination system. The federal
4 funds appropriated in this paragraph "a" shall be expended only
5 after all other funds appropriated in subsection 1 for the
6 assistance under the family investment program, in subsection 6
7 for child care assistance, or in subsection 12 for the family
8 investment program share of the costs to continue to develop
9 and maintain a new, integrated eligibility determination
10 system, as applicable, have been expended.

11 b. The department shall, on a quarterly basis, advise the
12 legislative services agency and department of management of
13 the amount of funds appropriated in this subsection that was
14 expended in the prior quarter.

15 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
16 \$12,962,008 for the fiscal year beginning July 1, 2014, is
17 transferred to the appropriation of the federal social services
18 block grant made to the department of human services for that
19 fiscal year.

20 15. For continuation of the program providing categorical
21 eligibility for the food assistance program as specified for
22 the program in the section of this division relating to the
23 family investment program account:

24	\$	<u>12,500</u>
25		<u>25,000</u>

26 16. The department may transfer funds allocated in this
27 section to the appropriations made in this division of this Act
28 for the same fiscal year for general administration and field
29 operations for resources necessary to implement and operate the
30 services referred to in this section and those funded in the
31 appropriation made in this division of this Act for the same
32 fiscal year for the family investment program from the general
33 fund of the state.

34 Sec. 8. 2013 Iowa Acts, chapter 138, section 137, is amended
35 to read as follows:

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1 SEC. 137. FAMILY INVESTMENT PROGRAM ACCOUNT.

2 1. Moneys credited to the family investment program (FIP)
3 account for the fiscal year beginning July 1, 2014, and
4 ending June 30, 2015, shall be used to provide assistance in
5 accordance with chapter 239B.

6 2. The department may use a portion of the moneys credited
7 to the FIP account under this section as necessary for
8 salaries, support, maintenance, and miscellaneous purposes.

9 3. The department may transfer funds allocated in this
10 section to the appropriations made in this division of this Act
11 for the same fiscal year for general administration and field
12 operations for resources necessary to implement and operate the
13 services referred to in this section and those funded in the
14 appropriation made in this division of this Act for the same
15 fiscal year for the family investment program from the general
16 fund of the state.

17 4. Moneys appropriated in this division of this Act and
18 credited to the FIP account for the fiscal year beginning July
19 1, 2014, and ending June 30, 2015, are allocated as follows:

20 a. To be retained by the department of human services to
21 be used for coordinating with the department of human rights
22 to more effectively serve participants in FIP and other shared
23 clients and to meet federal reporting requirements under the
24 federal temporary assistance for needy families block grant:

25 \$ ~~10,000~~
26 20,000

27 b. To the department of human rights for staffing,
28 administration, and implementation of the family development
29 and self-sufficiency grant program in accordance with section
30 216A.107:

31 \$ ~~3,021,417~~
32 6,042,834

33 (1) Of the funds allocated for the family development and
34 self-sufficiency grant program in this lettered paragraph,
35 not more than 5 percent of the funds shall be used for the

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1 administration of the grant program.

2 (2) The department of human rights may continue to implement
3 the family development and self-sufficiency grant program
4 statewide during fiscal year 2014-2015.

5 c. For the diversion subaccount of the FIP account:

6 \$ 849,200
7 2,315,000

8 A portion of the moneys allocated for the subaccount may
9 be used for field operations, salaries, data management
10 system development, and implementation costs and support
11 deemed necessary by the director of human services in order to
12 administer the FIP diversion program. To the extent moneys
13 allocated in this lettered paragraph are not deemed by the
14 department to be necessary to support diversion activities,
15 such moneys may be used for other efforts intended to increase
16 engagement by family investment program participants in work,
17 education, or training activities.

18 d. For the food assistance employment and training program:

19 \$ 33,294
20 66,588

21 (1) The department shall apply the federal supplemental
22 nutrition assistance program (SNAP) employment and training
23 state plan in order to maximize to the fullest extent permitted
24 by federal law the use of the 50 percent federal reimbursement
25 provisions for the claiming of allowable federal reimbursement
26 funds from the United States department of agriculture
27 pursuant to the federal SNAP employment and training program
28 for providing education, employment, and training services
29 for eligible food assistance program participants, including
30 but not limited to related dependent care and transportation
31 expenses.

32 (2) The department shall continue the categorical federal
33 food assistance program eligibility at 160 percent of the
34 federal poverty level and continue to eliminate the asset test
35 from eligibility requirements, consistent with federal food

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1 assistance program requirements. The department shall include
2 as many food assistance households as is allowed by federal
3 law. The eligibility provisions shall conform to all federal
4 requirements including requirements addressing individuals who
5 are incarcerated or otherwise ineligible.

6 e. For the JOBS program:

7 \$ 9,845,408
8 18,494,131

9 5. Of the child support collections assigned under FIP,
10 an amount equal to the federal share of support collections
11 shall be credited to the child support recovery appropriation
12 made in this division of this Act. Of the remainder of the
13 assigned child support collections received by the child
14 support recovery unit, a portion shall be credited to the FIP
15 account, a portion may be used to increase recoveries, and a
16 portion may be used to sustain cash flow in the child support
17 payments account. If as a consequence of the appropriations
18 and allocations made in this section the resulting amounts
19 are insufficient to sustain cash assistance payments and meet
20 federal maintenance of effort requirements, the department
21 shall seek supplemental funding. If child support collections
22 assigned under FIP are greater than estimated or are otherwise
23 determined not to be required for maintenance of effort, the
24 state share of either amount may be transferred to or retained
25 in the child support payment account.

26 6. The department may adopt emergency rules for the family
27 investment, JOBS, food assistance, and medical assistance
28 programs if necessary to comply with federal requirements.

29 Sec. 9. 2013 Iowa Acts, chapter 138, section 138, is amended
30 to read as follows:

31 SEC. 138. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
32 is appropriated from the general fund of the state to the
33 department of human services for the fiscal year beginning July
34 1, 2014, and ending June 30, 2015, the following amount, or
35 so much thereof as is necessary, to be used for the purpose

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1 designated:

2 To be credited to the family investment program (FIP)
3 account and used for family investment program assistance under
4 chapter 239B:

5 \$ ~~24,218,607~~
6 48,503,875

7 1. Of the funds appropriated in this section, ~~\$3,912,189~~
8 \$7,402,220 is allocated for the JOBS program.

9 2. Of the funds appropriated in this section, ~~\$1,581,927~~
10 \$3,163,854 is allocated for the family development and
11 self-sufficiency grant program.

12 3. Notwithstanding section 8.39, for the fiscal year
13 beginning July 1, 2014, if necessary to meet federal
14 maintenance of effort requirements or to transfer federal
15 temporary assistance for needy families block grant funding
16 to be used for purposes of the federal social services block
17 grant or to meet cash flow needs resulting from delays in
18 receiving federal funding or to implement, in accordance with
19 this division of this Act, activities currently funded with
20 juvenile court services, county, or community moneys and state
21 moneys used in combination with such moneys, the department
22 of human services may transfer funds within or between any
23 of the appropriations made in this division of this Act and
24 appropriations in law for the federal social services block
25 grant to the department for the following purposes, provided
26 that the combined amount of state and federal temporary
27 assistance for needy families block grant funding for each
28 appropriation remains the same before and after the transfer:

29 a. For the family investment program.

30 b. For child care assistance.

31 c. For child and family services.

32 d. For field operations.

33 e. For general administration.

34 f. For distribution to counties or regions through the
35 mental health and disability regional services fund created in

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1 section 225C.7A for services ~~to~~ for persons with mental illness
2 or an intellectual disability in accordance with that section.

3 This subsection shall not be construed to prohibit the use
4 of existing state transfer authority for other purposes. The
5 department shall report any transfers made pursuant to this
6 subsection to the legislative services agency.

7 4. Of the funds appropriated in this section, ~~\$97,839~~
8 \$195,678 shall be used for ~~continuation of~~ a grant to an
9 Iowa-based nonprofit organization with a history of providing
10 tax preparation assistance to low-income Iowans in order to
11 expand the usage of the earned income tax credit. The purpose
12 of the grant is to supply this assistance to underserved areas
13 of the state.

14 5. Of the funds appropriated in this section, ~~\$20,000~~
15 \$40,000 shall be used for the continuation of an unfunded
16 pilot project, as defined in 441 IAC 100.1, relating to
17 parental obligations, in which the child support recovery
18 unit participates, to support the efforts of a nonprofit
19 organization committed to strengthening the community through
20 youth development, healthy living, and social responsibility in
21 a county with a population over 350,000. The funds allocated
22 in this subsection shall be used by the recipient organization
23 to develop a larger community effort, through public and
24 private partnerships, to support a broad-based fatherhood
25 initiative that promotes payment of child support obligations,
26 improved family relationships, and full-time employment.

27 6. The department may transfer funds appropriated in this
28 section to the appropriations made in this division of this Act
29 for general administration and field operations as necessary
30 to administer this section and the overall family investment
31 program.

32 Sec. 10. 2013 Iowa Acts, chapter 138, section 139, is
33 amended to read as follows:

34 SEC. 139. CHILD SUPPORT RECOVERY. There is appropriated
35 from the general fund of the state to the department of human

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1 services for the fiscal year beginning July 1, 2014, and ending
2 June 30, 2015, the following amount, or so much thereof as is
3 necessary, to be used for the purposes designated:

4 For child support recovery, including salaries, support,
5 maintenance, and miscellaneous purposes, ~~and for not more than~~
6 ~~the following full-time equivalent positions:~~

7	\$ 7,086,885
8	<u>14,911,230</u>
9	FTEs <u>464.00</u>

10 1. The department shall expend up to ~~\$12,165~~ \$24,329,
11 including federal financial participation, for the fiscal year
12 beginning July 1, 2014, for a child support public awareness
13 campaign. The department and the office of the attorney
14 general shall cooperate in continuation of the campaign. The
15 public awareness campaign shall emphasize, through a variety
16 of media activities, the importance of maximum involvement of
17 both parents in the lives of their children as well as the
18 importance of payment of child support obligations.

19 2. Federal access and visitation grant moneys shall be
20 issued directly to private not-for-profit agencies that provide
21 services designed to increase compliance with the child access
22 provisions of court orders, including but not limited to
23 neutral visitation sites and mediation services.

24 3. The appropriation made to the department for child
25 support recovery may be used throughout the fiscal year in the
26 manner necessary for purposes of cash flow management, and for
27 cash flow management purposes the department may temporarily
28 draw more than the amount appropriated, provided the amount
29 appropriated is not exceeded at the close of the fiscal year.

30 4. With the exception of the funding amount specified, the
31 requirements established under 2001 Iowa Acts, chapter 191,
32 section 3, subsection 5, paragraph "c", subparagraph (3), shall
33 be applicable to parental obligation pilot projects for the
34 fiscal year beginning July 1, 2014, and ending June 30, 2015.
35 Notwithstanding 441 IAC 100.8, providing for termination of

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1 rules relating to the pilot projects, the rules shall remain
2 in effect until June 30, 2015.

3 Sec. 11. 2013 Iowa Acts, chapter 138, section 140, is
4 amended to read as follows:

5 SEC. 140. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
6 FY ~~2013-2014~~ 2014-2015. Any funds remaining in the health
7 care trust fund created in section 453A.35A for the fiscal
8 year beginning July 1, 2014, and ending June 30, 2015, are
9 appropriated to the department of human services to supplement
10 the medical assistance program appropriations made in this
11 division of this Act, for medical assistance reimbursement and
12 associated costs, including program administration and costs
13 associated with program implementation.

14 Sec. 12. 2013 Iowa Acts, chapter 138, section 141, is
15 amended to read as follows:

16 SEC. 141. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE —
17 FY 2014-2015. Any funds remaining in the Medicaid fraud
18 fund created in section 249A.7 for the fiscal year beginning
19 July 1, 2014, and ending June 30, 2015, are appropriated to
20 the department of human services to supplement the medical
21 assistance appropriations made in this division of this Act,
22 for medical assistance reimbursement and associated costs,
23 including program administration and costs associated with
24 program implementation.

25 Sec. 13. 2013 Iowa Acts, chapter 138, section 142, is
26 amended to read as follows:

27 SEC. 142. MEDICAL ASSISTANCE. There is appropriated from
28 the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2014, and ending
30 June 30, 2015, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:

32 For medical assistance program reimbursement and associated
33 costs as specifically provided in the reimbursement
34 methodologies in effect on June 30, 2014, except as otherwise
35 expressly authorized by law, consistent with options under

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1 federal law and regulations, and contingent upon receipt of
2 approval from the office of the governor of reimbursement for
3 each abortion performed under the program:

4 \$ ~~1,143,810,311~~
5 962,091,053

6 1. a. Iowans support reducing the number of abortions
7 performed in our state. For an abortion covered under the
8 program, except in the case of a medical emergency, as defined
9 in section 135L.1, for any woman, the physician shall certify
10 both of the following:

11 (1) That the woman has been given the opportunity to view an
12 ultrasound image of the fetus as part of the standard of care
13 before an abortion is performed.

14 (2) That the woman has been provided information regarding
15 the options relative to a pregnancy, including continuing the
16 pregnancy to term and retaining parental rights following the
17 child's birth, continuing the pregnancy to term and placing the
18 child for adoption, and terminating the pregnancy.

19 b. Funds appropriated under this section shall not be used
20 for abortions, unless otherwise authorized under this section.

21 c. The provisions of this section relating to abortions
22 shall also apply to the Iowa health and wellness plan created
23 pursuant to chapter 249N, as enacted in this Act.

24 2. The department shall utilize not more than \$60,000 of
25 the funds appropriated in this section to continue the AIDS/HIV
26 health insurance premium payment program as established in 1992
27 Iowa Acts, Second Extraordinary Session, chapter 1001, section
28 409, subsection 6. Of the funds allocated in this subsection,
29 not more than \$5,000 may be expended for administrative
30 purposes.

31 3. Of the funds appropriated in this Act to the department
32 of public health for addictive disorders, \$950,000 for
33 the fiscal year beginning July 1, 2014, is transferred
34 to the department of human services for an integrated
35 substance-related disorder managed care system. The department

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1 shall not assume management of the substance-related disorder
2 system in place of the managed care contractor unless such
3 a change in approach is specifically authorized in law.
4 The departments of human services and public health shall
5 work together to maintain the level of mental health and
6 substance-related disorder treatment services provided by the
7 managed care contractor through the Iowa plan for behavioral
8 health. Each department shall take the steps necessary to
9 continue the federal waivers as necessary to maintain the level
10 of services.

11 4. a. The department shall aggressively pursue options for
12 providing medical assistance or other assistance to individuals
13 with special needs who become ineligible to continue receiving
14 services under the early and periodic screening, diagnostic,
15 and treatment program under the medical assistance program
16 due to becoming 21 years of age who have been approved for
17 additional assistance through the department's exception to
18 policy provisions, but who have health care needs in excess
19 of the funding available through the exception to policy
20 provisions.

21 b. Of the funds appropriated in this section, \$100,000
22 shall be used for participation in one or more pilot projects
23 operated by a private provider to allow the individual or
24 individuals to receive service in the community in accordance
25 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
26 (1999), for the purpose of providing medical assistance or
27 other assistance to individuals with special needs who become
28 ineligible to continue receiving services under the early and
29 periodic screening, diagnostic, and treatment program under
30 the medical assistance program due to becoming 21 years of
31 age who have been approved for additional assistance through
32 the department's exception to policy provisions, but who have
33 health care needs in excess of the funding available through
34 the exception to the policy provisions.

35 5. Of the funds appropriated in this section, up to



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1 \$3,050,082 may be transferred to the field operations or
2 general administration appropriations in this division of this
3 Act for operational costs associated with Part D of the federal
4 Medicare Prescription Drug Improvement and Modernization Act
5 of 2003, Pub. L. No. 108-173.

6 6. Of the funds appropriated in this section, up to \$442,100
7 may be transferred to the appropriation in this division
8 of this Act for medical contracts to be used for clinical
9 assessment services and prior authorization of services.

10 7. A portion of the funds appropriated in this section
11 may be transferred to the appropriations in this division of
12 this Act for general administration, medical contracts, the
13 children's health insurance program, or field operations to be
14 used for the state match cost to comply with the payment error
15 rate measurement (PERM) program for both the medical assistance
16 and children's health insurance programs as developed by the
17 centers for Medicare and Medicaid services of the United States
18 department of health and human services to comply with the
19 federal Improper Payments Information Act of 2002, Pub. L. No.
20 107-300.

21 8. It is the intent of the general assembly that the
22 department continue to implement the recommendations of
23 the assuring better child health and development initiative
24 II (ABCDII) clinical panel to the Iowa early and periodic
25 screening, diagnostic, and treatment services healthy mental
26 development collaborative board regarding changes to billing
27 procedures, codes, and eligible service providers.

28 9. Of the funds appropriated in this section, a sufficient
29 amount is allocated to supplement the incomes of residents of
30 nursing facilities, intermediate care facilities for persons
31 with mental illness, and intermediate care facilities for
32 persons with an intellectual disability, with incomes of less
33 than \$50 in the amount necessary for the residents to receive a
34 personal needs allowance of \$50 per month pursuant to section
35 249A.30A.



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1 10. Of the funds appropriated in this section, the following
2 amounts are transferred to the appropriations made in this
3 division of this Act for the state mental health institutes:

4 a. Cherokee mental health institute..... \$ 9,098,425
5 b. Clarinda mental health institute..... \$ 1,977,305
6 c. Independence mental health institute..... \$ 9,045,894
7 d. Mount Pleasant mental health institute..... \$ 5,752,587

8 11. a. Of the funds appropriated in this section,
9 ~~\$7,969,074~~ \$8,391,922 is allocated for the state match for
10 a disproportionate share hospital payment of \$19,133,430
11 to hospitals that meet both of the conditions specified
12 in subparagraphs (1) and (2). In addition, the hospitals
13 that meet the conditions specified shall either certify
14 public expenditures or transfer to the medical assistance
15 program an amount equal to provide the nonfederal share for a
16 disproportionate share hospital payment of \$7,500,000. The
17 hospitals that meet the conditions specified shall receive and
18 retain 100 percent of the total disproportionate share hospital
19 payment of \$26,633,430.

20 (1) The hospital qualifies for disproportionate share and
21 graduate medical education payments.

22 (2) The hospital is an Iowa state-owned hospital with more
23 than 500 beds and eight or more distinct residency specialty
24 or subspecialty programs recognized by the American college of
25 graduate medical education.

26 b. Distribution of the disproportionate share payments
27 shall be made on a monthly basis. The total amount of
28 disproportionate share payments including graduate medical
29 education, enhanced disproportionate share, and Iowa
30 state-owned teaching hospital payments shall not exceed the
31 amount of the state's allotment under Pub. L. No. 102-234.
32 In addition, the total amount of all disproportionate
33 share payments shall not exceed the hospital-specific
34 disproportionate share limits under Pub. L. No. 103-66.

35 12. The university of Iowa hospitals and clinics shall

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1 either certify public expenditures or transfer to the
2 appropriations made in this division of this Act for medical
3 assistance an amount equal to provide the nonfederal share
4 for increased medical assistance payments for inpatient and
5 outpatient hospital services of \$9,900,000. The university of
6 Iowa hospitals and clinics shall receive and retain 100 percent
7 of the total increase in medical assistance payments.
8 13. One hundred percent of the nonfederal share of payments
9 to area education agencies that are medical assistance
10 providers for medical assistance-covered services provided to
11 medical assistance-covered children, shall be made from the
12 appropriation made in this section.
13 14. Any new or renewed contract entered into by the
14 department with a third party to administer behavioral health
15 services under the medical assistance program shall provide
16 that any interest earned on payments from the state during
17 the state fiscal year shall be remitted to the department
18 and treated as recoveries to offset the costs of the medical
19 assistance program.
20 15. The department shall continue to implement the
21 provisions in 2007 Iowa Acts, chapter 218, section 124 and
22 section 126, as amended by 2008 Iowa Acts, chapter 1188,
23 section 55, relating to eligibility for certain persons with
24 disabilities under the medical assistance program in accordance
25 with the federal Family Opportunity Act.
26 16. A portion of the funds appropriated in this section
27 may be transferred to the appropriation in this division of
28 this Act for medical contracts to be used for administrative
29 activities associated with the money follows the person
30 demonstration project.
31 17. Of the funds appropriated in this section, \$349,011
32 shall be used for the administration of the health insurance
33 premium payment program, including salaries, support,
34 maintenance, and miscellaneous purposes.
35 18. a. The department shall continue to implement the cost

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1 containment strategies for the medical assistance program in
2 the fiscal year beginning July 1, 2014, that were recommended
3 by the governor for the fiscal year beginning July 1, 2013, as
4 specified in this Act and may adopt emergency rules for such
5 implementation.

6 b. The department may increase the amounts allocated for
7 salaries, support, maintenance, and miscellaneous purposes
8 associated with the medical assistance program, as necessary,
9 to implement the cost containment strategies. The department
10 shall report any such increase to the legislative services
11 agency and the department of management.

12 c. If the savings to the medical assistance program exceed
13 the cost for the fiscal year beginning July 1, 2014, the
14 department may transfer any savings generated for the fiscal
15 year due to medical assistance program cost containment efforts
16 to the appropriation made in this division of this Act for
17 medical contracts or general administration to defray the
18 increased contract costs associated with implementing such
19 efforts.

20 ~~19. a. Of the funds appropriated in this section, \$900,000~~
21 ~~shall be used to continue implementation of the children's~~
22 ~~mental health home project proposed by the department of human~~
23 ~~services and reported to the general assembly's mental health~~
24 ~~and disability services study committee in December 2011. Of~~
25 ~~this amount, up to \$50,000 may be transferred by the department~~
26 ~~to the appropriation made in this division of this Act to the~~
27 ~~department for the same fiscal year for general administration~~
28 ~~to be used for associated administrative expenses and for not~~
29 ~~more than one full-time equivalent position, in addition to~~
30 ~~those authorized for the same fiscal year, to be assigned to~~
31 ~~implementing the project.~~

32 ~~b. Of the funds appropriated in this section, up to \$400,000~~
33 ~~may be transferred by the department to the appropriation made~~
34 ~~to the department in this division of this Act for the same~~
35 ~~fiscal year for general administration to continue to support~~

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1 ~~the redesign of mental health and disability services and~~
2 ~~the state balancing incentive payments program planning and~~
3 ~~implementation activities. The funds may be used for contracts~~
4 ~~or for personnel in addition to the amounts appropriated for~~
5 ~~and the positions authorized for general administration for the~~
6 ~~same fiscal year.~~

7 ~~c. Of the funds appropriated in this section, up to~~
8 ~~\$3,000,000 may be transferred by the department to the~~
9 ~~appropriations made to the department in this division of~~
10 ~~this Act for the same fiscal year for general administration~~
11 ~~or medical contracts to be used to continue to support the~~
12 ~~development and implementation of standardized assessment tools~~
13 ~~for persons with mental illness, an intellectual disability, a~~
14 ~~developmental disability, or a brain injury.~~

15 ~~d. For the fiscal year beginning July 1, 2014, and ending~~
16 ~~June 30, 2015, the replacement generation tax revenues required~~
17 ~~to be deposited in the property tax relief fund pursuant to~~
18 ~~section 437A.8, subsection 4, paragraph "d", and section~~
19 ~~437A.15, subsection 3, paragraph "f", shall instead be credited~~
20 ~~to and supplement the appropriation made in this section and~~
21 ~~used for the allocations made in this subsection.~~

22 20. The department shall continue to administer the state
23 balancing incentive payments program as specified in 2012 Iowa
24 Acts, chapter 1133, section 14.

25 21. Of the funds appropriated in this section, \$250,000
26 shall be used for lodging expenses associated with care
27 provided at the university of Iowa hospitals and clinics for
28 patients with cancer whose travel distance is 30 miles or more
29 and whose income is at or below 200 percent of the federal
30 poverty level as defined by the most recently revised poverty
31 income guidelines published by the United States department of
32 health and human services. The department of human services
33 shall establish the maximum number of overnight stays and the
34 maximum rate reimbursed for overnight lodging, which may be
35 based on the state employee rate established by the department

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1 of administrative services. The funds allocated in this
2 subsection shall not be used as nonfederal share matching
3 funds.

4 Sec. 14. 2013 Iowa Acts, chapter 138, is amended by adding
5 the following new section:

6 NEW SECTION. SEC. 142A. MENTAL HEALTH AND DISABILITY
7 SERVICES REDESIGN — MEDICAL ASSISTANCE AND OTHER DEPARTMENTAL
8 EXPENDITURES — FY 2014-2015.

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purposes designated:

14 For medical assistance program costs and other departmental
15 expenditures associated with redesign of mental health and
16 disability services, in accordance with this section:

17 \$279,826,402

18 2. The amount remaining following the other allocations
19 made by this section is transferred to the appropriation made
20 from the general fund of the state in this division of this Act
21 for the medical assistance program for the same fiscal year
22 and shall be used to pay the nonfederal share of the following
23 medical assistance program services costs that prior to July 1,
24 2012, would have been billed to counties:

25 a. Habilitation.

26 b. Targeted case management.

27 c. Home and community-based services waiver services for
28 persons with intellectual disabilities and brain injury.

29 d. Community-based intermediate care facilities for persons
30 with an intellectual disability.

31 e. The state resource centers.

32 3. Of the funds appropriated in this section, up to \$50,000
33 may be transferred by the department to the appropriation
34 made in this division of this Act to the department for the
35 same fiscal year for general administration to be used for

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1 associated administrative expenses and for not more than one
2 full-time equivalent position, in addition to those authorized
3 for the same fiscal year, to be assigned to implementing the
4 children's mental health home project.

5 4. Of the funds appropriated in this section, up to \$400,000
6 may be transferred by the department to the appropriation made
7 to the department in this division of this Act for the same
8 fiscal year for general administration to support redesign and
9 the state balancing incentive payments program planning and
10 implementation activities. The funds may be used for contracts
11 or for personnel in addition to the amounts appropriated for
12 and the positions authorized for general administration for the
13 fiscal year.

14 5. Of the funds appropriated in this section, up to
15 \$3,050,000 may be transferred by the department to the
16 appropriations made to the department in this division of
17 this Act for the same fiscal year for general administration
18 or medical contracts to be used to support the development
19 and implementation of standardized assessment tools for
20 persons with mental illness, an intellectual disability, a
21 developmental disability, or a brain injury.

22 6. For the fiscal year beginning July 1, 2014, and ending
23 June 30, 2015, the replacement generation tax revenues required
24 to be deposited in the property tax relief fund pursuant to
25 section 437A.8, subsection 4, paragraph "d", and section
26 437A.15, subsection 3, paragraph "f", shall instead be credited
27 to and supplement the appropriation made in this section.

28 Sec. 15. 2013 Iowa Acts, chapter 138, section 143, is
29 amended to read as follows:

30 SEC. 143. MEDICAL CONTRACTS. There is appropriated from the
31 general fund of the state to the department of human services
32 for the fiscal year beginning July 1, ~~2013~~ 2014, and ending
33 June 30, ~~2014~~ 2015, the following amount, or so much thereof as
34 is necessary, to be used for the purpose designated:

35 For medical contracts:

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1 \$ ~~6,145,785~~
2 16,323,366
3 1. The department of inspections and appeals shall
4 provide all state matching funds for survey and certification
5 activities performed by the department of inspections
6 and appeals. The department of human services is solely
7 responsible for distributing the federal matching funds for
8 such activities.
9 2. Of the funds appropriated in this section, ~~\$25,000~~
10 \$50,000 shall be used for continuation of home and
11 community-based services waiver quality assurance programs,
12 including the review and streamlining of processes and policies
13 related to oversight and quality management to meet state and
14 federal requirements.
15 3. Of the amount appropriated in this section, up to
16 ~~\$100,000~~ \$200,000 may be transferred to the appropriation
17 for general administration in this division of this Act to
18 be used for additional full-time equivalent positions in the
19 development of key health initiatives such as cost containment,
20 development and oversight of managed care programs, and
21 development of health strategies targeted toward improved
22 quality and reduced costs in the Medicaid program.
23 4. Of the funds appropriated in this section, ~~\$500,000~~
24 \$1,000,000 shall be used for planning and development,
25 in cooperation with the department of public health, of a
26 phased-in program to provide a dental home for children.
27 ~~5. Of the funds appropriated in this section, \$37,500 shall~~
28 ~~be used for continued implementation of a uniform cost report.~~
29 6. Of the funds appropriated in this section, ~~\$1,000,000~~
30 \$2,000,000 shall be used for the autism support program created
31 in chapter 225D, as enacted in this Act.
32 ~~7. Of the funds appropriated in this section, \$49,895 shall~~
33 ~~be used for continued implementation of an electronic medical~~
34 ~~records system.~~
35 Sec. 16. 2013 Iowa Acts, chapter 138, section 144, is



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1 amended to read as follows:

2 SEC. 144. STATE SUPPLEMENTARY ASSISTANCE.

3 1. There is appropriated from the general fund of the
4 state to the department of human services for the fiscal year
5 beginning July 1, 2014, and ending June 30, 2015, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purpose designated:

8 For the state supplementary assistance program:

9	\$ 8,256,087
10	<u>14,121,154</u>

11 2. The department shall increase the personal needs
12 allowance for residents of residential care facilities by the
13 same percentage and at the same time as federal supplemental
14 security income and federal social security benefits are
15 increased due to a recognized increase in the cost of living.
16 The department may adopt emergency rules to implement this
17 subsection.

18 3. If during the fiscal year beginning July 1, 2014,
19 the department projects that state supplementary assistance
20 expenditures for a calendar year will not meet the federal
21 pass-through requirement specified in Tit. XVI of the federal
22 Social Security Act, section 1618, as codified in 42 U.S.C.
23 § 1382g, the department may take actions including but not
24 limited to increasing the personal needs allowance for
25 residential care facility residents and making programmatic
26 adjustments or upward adjustments of the residential care
27 facility or in-home health-related care reimbursement rates
28 prescribed in this division of this Act to ensure that federal
29 requirements are met. In addition, the department may make
30 other programmatic and rate adjustments necessary to remain
31 within the amount appropriated in this section while ensuring
32 compliance with federal requirements. The department may adopt
33 emergency rules to implement the provisions of this subsection.

34 Sec. 17. 2013 Iowa Acts, chapter 138, section 145, is
35 amended to read as follows:

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1 SEC. 145. CHILDREN'S HEALTH INSURANCE PROGRAM.

2 1. There is appropriated from the general fund of the
3 state to the department of human services for the fiscal year
4 beginning July 1, 2014, and ending June 30, 2015, the following
5 amount, or so much thereof as is necessary, to be used for the
6 purpose designated:

7 For maintenance of the healthy and well kids in Iowa (hawk-i)
8 program pursuant to chapter 514I, including supplemental dental
9 services, for receipt of federal financial participation under
10 Tit. XXI of the federal Social Security Act, which creates the
11 children's health insurance program:

12 \$ ~~18,403,051~~
13 45,877,998

14 2. Of the funds appropriated in this section, ~~\$70,725~~
15 \$153,500 is allocated for continuation of the contract for
16 outreach with the department of public health.

17 Sec. 18. 2013 Iowa Acts, chapter 138, section 146, is
18 amended to read as follows:

19 SEC. 146. CHILD CARE ASSISTANCE. There is appropriated
20 from the general fund of the state to the department of human
21 services for the fiscal year beginning July 1, 2014, and ending
22 June 30, 2015, the following amount, or so much thereof as is
23 necessary, to be used for the purpose designated:

24 For child care programs:

25 \$ ~~31,354,897~~
26 57,925,206

27 1. Of the funds appropriated in this section, ~~\$27,377,595~~
28 \$50,205,779 shall be used for state child care assistance in
29 accordance with section 237A.13.

30 2. Nothing in this section shall be construed or is
31 intended as or shall imply a grant of entitlement for services
32 to persons who are eligible for assistance due to an income
33 level consistent with the waiting list requirements of section
34 237A.13. Any state obligation to provide services pursuant to
35 this section is limited to the extent of the funds appropriated



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1 in this section.

2 3. Of the funds appropriated in this section, ~~\$216,227~~
3 \$432,453 is allocated for the statewide program for child care
4 resource and referral services under section 237A.26. A list
5 of the registered and licensed child care facilities operating
6 in the area served by a child care resource and referral
7 service shall be made available to the families receiving state
8 child care assistance in that area.

9 4. Of the funds appropriated in this section, ~~\$468,487~~
10 \$936,974 is allocated for child care quality improvement
11 initiatives including but not limited to the voluntary quality
12 rating system in accordance with section 237A.30.

13 ~~5. Of the funds appropriated in this section, \$67,589 shall~~
14 ~~be used to conduct fingerprint-based national criminal history~~
15 ~~record checks of home-based child care providers pursuant~~
16 ~~to section 237A.5, subsection 2, through the United States~~
17 ~~department of justice, federal bureau of investigation.~~

18 ~~6. Of the amount appropriated in this section, up to~~
19 ~~\$12,500 shall be used to continue to implement a searchable~~
20 ~~internet-based application as part of the consumer information~~
21 ~~made available under section 237A.25. The application shall~~
22 ~~provide a listing of the child care providers in this state~~
23 ~~that have received a rating under the voluntary quality rating~~
24 ~~system implemented pursuant to section 237A.30 and information~~
25 ~~on whether a provider specializes in child care for infants,~~
26 ~~school-age children, children with special needs, or other~~
27 ~~populations or provides any other specialized services to~~
28 ~~support family needs.~~

29 7. Of the funds appropriated in this section, ~~\$3,175,000~~
30 \$6,350,000 shall be credited to the early childhood programs
31 grants account in the early childhood Iowa fund created
32 in section 256I.11. The moneys shall be distributed for
33 funding of community-based early childhood programs targeted
34 to children from birth through five years of age developed
35 by early childhood Iowa areas in accordance with approved



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1 community plans as provided in section 256I.8.

2 8. The department may use any of the funds appropriated
3 in this section as a match to obtain federal funds for use in
4 expanding child care assistance and related programs. For
5 the purpose of expenditures of state and federal child care
6 funding, funds shall be considered obligated at the time
7 expenditures are projected or are allocated to the department's
8 service areas. Projections shall be based on current and
9 projected caseload growth, current and projected provider
10 rates, staffing requirements for eligibility determination
11 and management of program requirements including data systems
12 management, staffing requirements for administration of the
13 program, contractual and grant obligations and any transfers
14 to other state agencies, and obligations for decategorization
15 or innovation projects.

16 9. A portion of the state match for the federal child care
17 and development block grant shall be provided as necessary to
18 meet federal matching funds requirements through the state
19 general fund appropriation made for child development grants
20 and other programs for at-risk children in section 279.51.

21 10. If a uniform reduction ordered by the governor under
22 section 8.31 or other operation of law, transfer, or federal
23 funding reduction reduces the appropriation made in this
24 section for the fiscal year, the percentage reduction in the
25 amount paid out to or on behalf of the families participating
26 in the state child care assistance program shall be equal to or
27 less than the percentage reduction ~~made for any other purpose~~
28 ~~payable from the appropriation made in this section and the~~
29 ~~federal funding relating to it. The percentage reduction to~~
30 ~~the other allocations made in this section shall be the same as~~
31 ~~the uniform reduction~~ ordered by the governor or the percentage
32 change of the federal funding reduction, as applicable.
33 If there is an unanticipated increase in federal funding
34 provided for state child care assistance, the entire amount
35 of the increase shall be used for state child care assistance

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1 payments. If the appropriations made for purposes of the
2 state child care assistance program for the fiscal year are
3 determined to be insufficient, it is the intent of the general
4 assembly to appropriate sufficient funding for the fiscal year
5 in order to avoid establishment of waiting list requirements.

6 11. Notwithstanding section 8.33, moneys advanced for
7 purposes of the programs developed by early childhood Iowa
8 areas, advanced for purposes of wraparound child care, or
9 received from the federal appropriations made for the purposes
10 of this section that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert to any fund but shall
12 remain available for expenditure for the purposes designated
13 until the close of the succeeding fiscal year.

14 Sec. 19. 2013 Iowa Acts, chapter 138, section 147, is
15 amended to read as follows:

16 SEC. 147. JUVENILE INSTITUTIONS. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2014, and ending
19 June 30, 2015, the following amounts, or so much thereof as is
20 necessary, to be used for the purposes designated:

21 1. ~~For operation of the costs of security, building and~~
22 ~~grounds maintenance, utilities, salary, and support for the~~
23 ~~facilities located at the Iowa juvenile home at Toledo and for~~
24 ~~salaries, support, maintenance, and miscellaneous purposes, and~~
25 ~~for not more than the following full-time equivalent positions:~~
26 \$ 4,429,678
27 788,531
28 FTEs 114.00

29 2. For operation of the state training school at Eldora and
30 for salaries, support, maintenance, and miscellaneous purposes,
31 ~~and for not more than the following full-time equivalent~~
32 ~~positions:~~
33 \$ 5,628,485
34 11,500,098
35 FTEs 164.30

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1 Of the funds appropriated in this subsection, ~~\$45,575~~
2 \$91,150 shall be used for distribution to licensed classroom
3 teachers at this and other institutions under the control of
4 the department of human services based upon the average student
5 yearly enrollment at each institution as determined by the
6 department.

7 3. A portion of the moneys appropriated in this section
8 shall be used by the state training school and by the Iowa
9 juvenile home for grants for adolescent pregnancy prevention
10 activities at the institutions in the fiscal year beginning
11 July 1, 2014.

12 Sec. 20. 2013 Iowa Acts, chapter 138, is amended by adding
13 the following new section:

14 NEW SECTION. SEC. 147A. CHILDREN ADJUDICATED AS DELINQUENT
15 OR CHILD IN NEED OF ASSISTANCE — IOWA JUVENILE HOME. There
16 is appropriated from the general fund of the state to the
17 department of human services for the fiscal year beginning July
18 1, 2014, and ending June 30, 2015, the following amount, or
19 so much thereof as is necessary, to be used for the purposes
20 designated:

21 For the placement costs of female children adjudicated
22 as delinquent and male and female children adjudicated as a
23 child in need of assistance, and for the costs of compensatory
24 education for children formerly placed at the Iowa juvenile
25 home at Toledo:

26 \$ 5,110,534

27 1. Of the funds appropriated in this section, \$3,892,534
28 shall be used for the placement costs of female children
29 adjudicated as delinquent and male and female children
30 adjudicated as a child in need of assistance, who are deemed by
31 the department to be eligible for use of the funds.

32 2. Of the funds appropriated in this section, \$1,218,000
33 shall be used for the costs of compensatory education to
34 address the reviews of special education of certain children
35 placed at the Iowa juvenile home conducted by the department of

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1 education in fall 2013 and reported to the department of human
2 services on October 7 and December 20, 2013.

3 Sec. 21. 2013 Iowa Acts, chapter 138, section 148, is
4 amended to read as follows:

5 SEC. 148. CHILD AND FAMILY SERVICES.

6 1. There is appropriated from the general fund of the
7 state to the department of human services for the fiscal year
8 beginning July 1, 2014, and ending June 30, 2015, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purpose designated:

11 For child and family services:

12 \$ ~~45,641,960~~
13 91,762,511

14 2. Up to ~~\$2,600,000~~ \$5,200,000 of the amount of federal
15 temporary assistance for needy families block grant funding
16 appropriated in this division of this Act for child and family
17 services shall be made available for purposes of juvenile
18 delinquent graduated sanction services.

19 3. The department may transfer funds appropriated in this
20 section as necessary to pay the nonfederal costs of services
21 reimbursed under the medical assistance program, state child
22 care assistance program, or the family investment program which
23 are provided to children who would otherwise receive services
24 paid under the appropriation in this section. The department
25 may transfer funds appropriated in this section to the
26 appropriations made in this division of this Act for general
27 administration and for field operations for resources necessary
28 to implement and operate the services funded in this section.

29 4. a. Of the funds appropriated in this section, up
30 to ~~\$16,121,163~~ \$32,318,243 is allocated as the statewide
31 expenditure target under section 232.143 for group foster care
32 maintenance and services. If the department projects that such
33 expenditures for the fiscal year will be less than the target
34 amount allocated in this lettered paragraph, the department may
35 reallocate the excess to provide additional funding for shelter

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1 care or the child welfare emergency services addressed with the
2 allocation for shelter care.

3 b. If at any time after September 30, 2014, annualization
4 of a service area's current expenditures indicates a service
5 area is at risk of exceeding its group foster care expenditure
6 target under section 232.143 by more than 5 percent, the
7 department and juvenile court services shall examine all
8 group foster care placements in that service area in order to
9 identify those which might be appropriate for termination.
10 In addition, any aftercare services believed to be needed
11 for the children whose placements may be terminated shall be
12 identified. The department and juvenile court services shall
13 initiate action to set dispositional review hearings for the
14 placements identified. In such a dispositional review hearing,
15 the juvenile court shall determine whether needed aftercare
16 services are available and whether termination of the placement
17 is in the best interest of the child and the community.

18 5. In accordance with the provisions of section 232.188,
19 the department shall continue the child welfare and juvenile
20 justice funding initiative during fiscal year 2014-2015. Of
21 the funds appropriated in this section, ~~\$858,877~~ \$1,717,753
22 is allocated specifically for expenditure for fiscal year
23 2014-2015 through the decategorization service funding pools
24 and governance boards established pursuant to section 232.188.

25 6. A portion of the funds appropriated in this section
26 may be used for emergency family assistance to provide other
27 resources required for a family participating in a family
28 preservation or reunification project or successor project to
29 stay together or to be reunified.

30 7. ~~Notwithstanding~~ As authorized by section 234.35 or
31 ~~any other provision of law to the contrary, as amended by~~
32 this 2014 Act, state funding for shelter care and the child
33 welfare emergency services contracting implemented to provide
34 for or prevent the need for shelter care shall be limited to
35 ~~\$3,808,024~~ \$7,717,822.



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1 8. Federal funds received by the state during the fiscal
2 year beginning July 1, 2014, as the result of the expenditure
3 of state funds appropriated during a previous state fiscal
4 year for a service or activity funded under this section are
5 appropriated to the department to be used as additional funding
6 for services and purposes provided for under this section.
7 Notwithstanding section 8.33, moneys received in accordance
8 with this subsection that remain unencumbered or unobligated at
9 the close of the fiscal year shall not revert to any fund but
10 shall remain available for the purposes designated until the
11 close of the succeeding fiscal year.

12 9. a. Of the funds appropriated in this section, up to
13 ~~\$1,645,000~~ \$3,290,000 is allocated for the payment of the
14 expenses of court-ordered services provided to juveniles who
15 are under the supervision of juvenile court services, which
16 expenses are a charge upon the state pursuant to section
17 232.141, subsection 4. Of the amount allocated in this
18 lettered paragraph, up to ~~\$778,144~~ \$1,556,287 shall be made
19 available to provide school-based supervision of children
20 adjudicated under chapter 232, of which not more than ~~\$7,500~~
21 \$15,000 may be used for the purpose of training. A portion of
22 the cost of each school-based liaison officer shall be paid by
23 the school district or other funding source as approved by the
24 chief juvenile court officer.

25 b. Of the funds appropriated in this section, up to ~~\$374,493~~
26 \$748,985 is allocated for the payment of the expenses of
27 court-ordered services provided to children who are under the
28 supervision of the department, which expenses are a charge upon
29 the state pursuant to section 232.141, subsection 4.

30 c. ~~Notwithstanding~~ In accordance with section 232.141 or
31 ~~any other provision of law to the contrary~~ as amended by this
32 2014 Act, the amounts allocated in this subsection shall be
33 distributed to the judicial districts as determined by the
34 state court administrator and to the department's service areas
35 as determined by the administrator of the department's division



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1 of child and family services. The state court administrator
2 and the division administrator shall make the determination of
3 the distribution amounts on or before June 15, 2014.

4 ~~d. Notwithstanding chapter 232 or any other provision of~~
5 ~~law to the contrary~~ In accordance with section 232.141, as
6 amended by this 2014 Act, a district or juvenile court shall
7 not order any service which is a charge upon the state pursuant
8 to section 232.141 if there are insufficient court-ordered
9 services funds available in the district court or departmental
10 service area distribution amounts to pay for the service. The
11 chief juvenile court officer and the departmental service area
12 manager shall encourage use of the funds allocated in this
13 subsection such that there are sufficient funds to pay for
14 all court-related services during the entire year. The chief
15 juvenile court officers and departmental service area managers
16 shall attempt to anticipate potential surpluses and shortfalls
17 in the distribution amounts and shall cooperatively request the
18 state court administrator or division administrator to transfer
19 funds between the judicial districts' or departmental service
20 areas' distribution amounts as prudent.

21 ~~e. Notwithstanding any provision of law to the contrary~~ In
22 accordance with section 232.141, as amended by this 2014 Act,
23 a district or juvenile court shall not order a county to pay
24 for any service provided to a juvenile pursuant to an order
25 entered under chapter 232 which is a charge upon the state
26 under section 232.141, subsection 4.

27 f. Of the funds allocated in this subsection, not more
28 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
29 administration of the requirements under this subsection.

30 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
31 shall be used by the department of human services to support
32 the interstate commission for juveniles in accordance with
33 the interstate compact for juveniles as provided in section
34 232.173.

35 10. Of the funds appropriated in this section, ~~\$4,026,613~~



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1 \$8,053,227 is allocated for juvenile delinquent graduated
2 sanctions services. Any state funds saved as a result of
3 efforts by juvenile court services to earn federal Tit. IV-E
4 match for juvenile court services administration may be used
5 for the juvenile delinquent graduated sanctions services.

6 11. Of the funds appropriated in this section, ~~\$804,143~~
7 \$1,608,285 is transferred to the department of public health
8 to be used for the child protection center grant program in
9 accordance with section 135.118. The grant amounts under the
10 program shall be equalized so that each center receives a
11 uniform amount of at least ~~\$122,500~~ \$245,000.

12 12. If the department receives federal approval to
13 implement a waiver under Tit. IV-E of the federal Social
14 Security Act to enable providers to serve children who remain
15 in the children's families and communities, for purposes of
16 eligibility under the medical assistance program through 25
17 years of age, children who participate in the waiver shall be
18 considered to be placed in foster care.

19 13. Of the funds appropriated in this section, ~~\$1,628,490~~
20 \$3,256,980 is allocated for the preparation for adult living
21 program pursuant to section 234.46.

22 14. Of the funds appropriated in this section, ~~\$260,075~~
23 \$520,150 shall be used for juvenile drug courts. The amount
24 allocated in this subsection shall be distributed as follows:

25 To the judicial branch for salaries to assist with the
26 operation of juvenile drug court programs operated in the
27 following jurisdictions:

28 a. Marshall county:

29 \$ ~~31,354~~
30 62,708

31 b. Woodbury county:

32 \$ ~~62,841~~
33 125,682

34 c. Polk county:

35 \$ ~~97,946~~

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1 195,892
2 d. The third judicial district:
3 \$ 33,967
4 67,934
5 e. The eighth judicial district:
6 \$ 33,967
7 67,934
8 15. Of the funds appropriated in this section, ~~\$113,669~~
9 \$227,337 shall be used for the public purpose of continuing
10 a grant to a nonprofit human services organization providing
11 services to individuals and families in multiple locations in
12 southwest Iowa and Nebraska for support of a project providing
13 immediate, sensitive support and forensic interviews, medical
14 exams, needs assessments, and referrals for victims of child
15 abuse and their nonoffending family members.
16 16. Of the funds appropriated in this section, ~~\$100,295~~
17 \$210,620 is allocated for the foster care youth council
18 approach of providing a support network to children placed in
19 foster care.
20 17. Of the funds appropriated in this section, ~~\$101,000~~
21 \$202,000 is allocated for use pursuant to section 235A.1 for
22 continuation of the initiative to address child sexual abuse
23 implemented pursuant to 2007 Iowa Acts, chapter 218, section
24 18, subsection 21.
25 18. Of the funds appropriated in this section, ~~\$315,120~~
26 \$630,240 is allocated for the community partnership for child
27 protection sites.
28 19. Of the funds appropriated in this section, ~~\$185,625~~
29 \$371,250 is allocated for the department's minority youth and
30 family projects under the redesign of the child welfare system.
31 20. Of the funds appropriated in this section, ~~\$718,298~~
32 \$1,436,595 is allocated for funding of the community circle of
33 care collaboration for children and youth in northeast Iowa.
34 21. Of the funds appropriated in this section, at least
35 ~~\$73,579~~ \$147,158 shall be used for the child welfare training



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1 academy.

2 22. Of the funds appropriated in this section, ~~\$12,500~~
3 \$25,000 shall be used for the public purpose of continuation
4 of a grant to a child welfare services provider headquartered
5 in a county with a population between 205,000 and 215,000 in
6 the latest certified federal census that provides multiple
7 services including but not limited to a psychiatric medical
8 institution for children, shelter, residential treatment, after
9 school programs, school-based programming, and an Asperger's
10 syndrome program, to be used for support services for children
11 with autism spectrum disorder and their families.

12 23. Of the funds appropriated in this section, ~~\$12,500~~
13 \$25,000 shall be used for the public purpose of continuing a
14 grant to a hospital-based provider headquartered in a county
15 with a population between 90,000 and 95,000 in the latest
16 certified federal census that provides multiple services
17 including but not limited to diagnostic, therapeutic, and
18 behavioral services to individuals with autism spectrum
19 disorder across the lifespan. The grant recipient shall
20 utilize the funds to continue the pilot project to determine
21 the necessary support services for children with autism
22 spectrum disorder and their families to be included in the
23 children's disabilities services system. The grant recipient
24 shall submit findings and recommendations based upon the
25 results of the pilot project to the individuals specified in
26 this division of this Act for submission of reports by December
27 31, 2014.

28 24. Of the funds appropriated in this section, ~~\$163,974~~
29 \$327,947 shall be used for continuation of the central Iowa
30 system of care program grant through June 30, 2015.

31 25. Of the funds appropriated in this section, ~~\$80,000~~
32 \$160,000 shall be used for the public purpose of the
33 continuation of a system of care grant implemented in Cerro
34 Gordo and Linn counties.

35 26. Of the funds appropriated in this section, at least

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1 ~~\$12,500~~ \$25,000 shall be used to continue and to expand the
2 foster care respite pilot program in which postsecondary
3 students in social work and other human services-related
4 programs receive experience by assisting family foster care
5 providers with respite and other support.

6 Sec. 22. 2013 Iowa Acts, chapter 138, section 149, is
7 amended to read as follows:

8 SEC. 149. ADOPTION SUBSIDY.

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:

14 For adoption subsidy payments and services:

15 \$ ~~20,364,641~~
16 42,580,749

17 2. The department may transfer funds appropriated in
18 this section to the appropriation made in this division of
19 this Act for general administration for costs paid from the
20 appropriation relating to adoption subsidy.

21 3. Federal funds received by the state during the
22 fiscal year beginning July 1, 2014, as the result of the
23 expenditure of state funds during a previous state fiscal
24 year for a service or activity funded under this section are
25 appropriated to the department to be used as additional funding
26 for the services and activities funded under this section.
27 Notwithstanding section 8.33, moneys received in accordance
28 with this subsection that remain unencumbered or unobligated
29 at the close of the fiscal year shall not revert to any fund
30 but shall remain available for expenditure for the purposes
31 designated until the close of the succeeding fiscal year.

32 Sec. 23. 2013 Iowa Acts, chapter 138, section 150, is
33 amended to read as follows:

34 SEC. 150. JUVENILE DETENTION HOME FUND. Moneys deposited
35 in the juvenile detention home fund created in section 232.142

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1 during the fiscal year beginning July 1, 2014, and ending June
2 30, 2015, are appropriated to the department of human services
3 for the fiscal year beginning July 1, 2014, and ending June 30,
4 2015, for distribution of an amount equal to a percentage of
5 the costs of the establishment, improvement, operation, and
6 maintenance of county or multicounty juvenile detention homes
7 in the fiscal year beginning July 1, 2013. Moneys appropriated
8 for distribution in accordance with this section shall be
9 allocated among eligible detention homes, prorated on the basis
10 of an eligible detention home's proportion of the costs of all
11 eligible detention homes in the fiscal year beginning July
12 1, 2013. The percentage figure shall be determined by the
13 department based on the amount available for distribution for
14 the fund. ~~Notwithstanding section 232.142, subsection 3, the~~
15 ~~The financial aid payable by the state under that provision~~
16 section 232.142, subsection 3, as amended by this 2014 Act, for
17 the fiscal year beginning July 1, 2014, shall be limited to the
18 amount appropriated for the purposes of this section.

19 Sec. 24. 2013 Iowa Acts, chapter 138, section 151, is
20 amended to read as follows:

21 SEC. 151. FAMILY SUPPORT SUBSIDY PROGRAM.

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2014, and ending June 30, 2015, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For the family support subsidy program subject to the
28 enrollment restrictions in section 225C.37, subsection 3:

29 \$ 546,478
30 1,079,739

31 2. The department shall use at least ~~\$241,750~~ \$532,500
32 of the moneys appropriated in this section for the family
33 support center component of the comprehensive family support
34 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
35 of the amount allocated in this subsection shall be used for



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1 administrative costs.

2 3. ~~If~~ In accordance with section 225C.38, as amended by this
3 2014 Act, if at any time during the fiscal year, the amount
4 of funding available for the family support subsidy program
5 is reduced from the amount initially used to establish the
6 figure for the number of family members for whom a subsidy
7 is to be provided at any one time during the fiscal year,
8 ~~notwithstanding section 225C.38, subsection 2,~~ the department
9 shall revise the figure as necessary to conform to the amount
10 of funding available.

11 Sec. 25. 2013 Iowa Acts, chapter 138, section 152, is
12 amended to read as follows:

13 SEC. 152. CONNER DECREE. There is appropriated from the
14 general fund of the state to the department of human services
15 for the fiscal year beginning July 1, 2014, and ending June 30,
16 2015, the following amount, or so much thereof as is necessary,
17 to be used for the purpose designated:

18 For building community capacity through the coordination
19 and provision of training opportunities in accordance with the
20 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
21 Iowa, July 14, 1994):

22	\$	16,811
23		<u>33,632</u>

24 Sec. 26. 2013 Iowa Acts, chapter 138, section 153, is
25 amended to read as follows:

26 SEC. 153. MENTAL HEALTH INSTITUTES. There is appropriated
27 from the general fund of the state to the department of human
28 services for the fiscal year beginning July 1, 2014, and ending
29 June 30, 2015, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 1. For the state mental health institute at Cherokee for
32 salaries, support, maintenance, and miscellaneous purposes, ~~and~~
33 ~~for not more than the following full-time equivalent positions:~~
34

	\$	2,977,232
35		<u>6,031,934</u>

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1 FTEs 169.20
2 2. For the state mental health institute at Clarinda for
3 salaries, support, maintenance, and miscellaneous purposes, and
4 ~~for not more than the following full-time equivalent positions:~~
5 \$ 3,375,934
6 6,787,309
7 FTEs 86.10
8 3. For the state mental health institute at Independence for
9 salaries, support, maintenance, and miscellaneous purposes, and
10 ~~for not more than the following full-time equivalent positions:~~
11 \$ 5,159,389
12 10,484,386
13 FTEs 233.00
14 4. For the state mental health institute at Mount Pleasant
15 for salaries, support, maintenance, and miscellaneous purposes,
16 ~~and for not more than the following full-time equivalent~~
17 ~~positions:~~
18 \$ 683,343
19 1,417,796
20 FTEs 97.92
21 Sec. 27. 2013 Iowa Acts, chapter 138, section 154, is
22 amended to read as follows:
23 SEC. 154. STATE RESOURCE CENTERS.
24 1. There is appropriated from the general fund of the
25 state to the department of human services for the fiscal year
26 beginning July 1, 2014, and ending June 30, 2015, the following
27 amounts, or so much thereof as is necessary, to be used for the
28 purposes designated:
29 a. For the state resource center at Glenwood for salaries,
30 support, maintenance, and miscellaneous purposes:
31 \$ 10,137,236
32 21,695,266
33 b. For the state resource center at Woodward for salaries,
34 support, maintenance, and miscellaneous purposes:
35 \$ 7,110,232

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1 14,855,693
2 2. The department may continue to bill for state resource
3 center services utilizing a scope of services approach used for
4 private providers of ICFID services, in a manner which does not
5 shift costs between the medical assistance program, counties,
6 or other sources of funding for the state resource centers.
7 3. The state resource centers may expand the time-limited
8 assessment and respite services during the fiscal year.
9 4. If the department's administration and the department
10 of management concur with a finding by a state resource
11 center's superintendent that projected revenues can reasonably
12 be expected to pay the salary and support costs for a new
13 employee position, or that such costs for adding a particular
14 number of new positions for the fiscal year would be less
15 than the overtime costs if new positions would not be added,
16 the superintendent may add the new position or positions. If
17 the vacant positions available to a resource center do not
18 include the position classification desired to be filled, the
19 state resource center's superintendent may reclassify any
20 vacant position as necessary to fill the desired position. The
21 superintendents of the state resource centers may, by mutual
22 agreement, pool vacant positions and position classifications
23 during the course of the fiscal year in order to assist one
24 another in filling necessary positions.
25 5. If existing capacity limitations are reached in
26 operating units, a waiting list is in effect for a service or
27 a special need for which a payment source or other funding
28 is available for the service or to address the special need,
29 and facilities for the service or to address the special need
30 can be provided within the available payment source or other
31 funding, the superintendent of a state resource center may
32 authorize opening not more than two units or other facilities
33 and begin implementing the service or addressing the special
34 need during fiscal year 2014-2015.
35 Sec. 28. 2013 Iowa Acts, chapter 138, section 155, is



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1 amended to read as follows:

2 SEC. 155. SEXUALLY VIOLENT PREDATORS.

3 1. There is appropriated from the general fund of the
4 state to the department of human services for the fiscal year
5 beginning July 1, 2014, and ending June 30, 2015, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purpose designated:

8 For costs associated with the commitment and treatment of
9 sexually violent predators in the unit located at the state
10 mental health institute at Cherokee, including costs of legal
11 services and other associated costs, including salaries,
12 support, maintenance, and miscellaneous purposes, ~~and for not~~
13 ~~more than the following full-time equivalent positions:~~

14	\$	4,708,485
15		<u>9,425,568</u>
16	FTEs	<u>124.50</u>

17 2. Unless specifically prohibited by law, if the amount
18 charged provides for recoupment of at least the entire amount
19 of direct and indirect costs, the department of human services
20 may contract with other states to provide care and treatment
21 of persons placed by the other states at the unit for sexually
22 violent predators at Cherokee. The moneys received under
23 such a contract shall be considered to be repayment receipts
24 and used for the purposes of the appropriation made in this
25 section.

26 Sec. 29. 2013 Iowa Acts, chapter 138, section 156, is
27 amended to read as follows:

28 SEC. 156. FIELD OPERATIONS. There is appropriated from the
29 general fund of the state to the department of human services
30 for the fiscal year beginning July 1, 2014, and ending June 30,
31 2015, the following amount, or so much thereof as is necessary,
32 to be used for the purposes designated:

33 For field operations, including salaries, support,
34 maintenance, and miscellaneous purposes, ~~and for not more than~~
35 ~~the following full-time equivalent positions:~~

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1 \$ ~~33,261,194~~
2 66,670,976
3 FTEs ~~1,837.00~~
4 2. Priority in filling full-time equivalent positions
5 shall be given to those positions related to child protection
6 services and eligibility determination for low-income families.
7 Sec. 30. 2013 Iowa Acts, chapter 138, section 157, is
8 amended to read as follows:
9 SEC. 157. GENERAL ADMINISTRATION. There is appropriated
10 from the general fund of the state to the department of human
11 services for the fiscal year beginning July 1, 2014, and ending
12 June 30, 2015, the following amount, or so much thereof as is
13 necessary, to be used for the purpose designated:
14 For general administration, including salaries, support,
15 maintenance, and miscellaneous purposes, ~~and for not more than~~
16 ~~the following full-time equivalent positions:~~
17 \$ ~~8,152,386~~
18 16,079,602
19 FTEs ~~309.00~~
20 1. Of the funds appropriated in this section, ~~\$31,772~~
21 \$38,543 is allocated for the prevention of disabilities policy
22 council established in section 225B.3.
23 3. Of the funds appropriated in this section, ~~\$66,150~~
24 \$132,300 shall be used to continue the contract for the
25 provision of a program to provide technical assistance,
26 support, and consultation to providers of habilitation services
27 and home and community-based services waiver services for
28 adults with disabilities under the medical assistance program.
29 4. Of the funds appropriated in this section, ~~\$25,000~~
30 \$50,000 is transferred to the Iowa finance authority to be
31 used for administrative support of the council on homelessness
32 established in section 16.100A and for the council to fulfill
33 its duties in addressing and reducing homelessness in the
34 state.
35 Sec. 31. 2013 Iowa Acts, chapter 138, section 158, is



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1 amended to read as follows:

2 SEC. 158. VOLUNTEERS. There is appropriated from the
3 general fund of the state to the department of human services
4 for the fiscal year beginning July 1, 2014, and ending June 30,
5 2015, the following amount, or so much thereof as is necessary,
6 to be used for the purpose designated:

7 For development and coordination of volunteer services:

8	\$	42,330
9		<u>84,660</u>

10 Sec. 32. 2013 Iowa Acts, chapter 138, section 159, is
11 amended to read as follows:

12 SEC. 159. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
13 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
14 DEPARTMENT OF HUMAN SERVICES.

15 1. a. (1) For the fiscal year beginning July 1, 2014,
16 the total state funding amount for the nursing facility budget
17 shall not exceed ~~\$268,712,511~~ \$282,878,824.

18 (2) The department, in cooperation with nursing facility
19 representatives, shall review projections for state funding
20 expenditures for reimbursement of nursing facilities on a
21 quarterly basis and the department shall determine if an
22 adjustment to the medical assistance reimbursement rate is
23 necessary in order to provide reimbursement within the state
24 funding amount for the fiscal year. Notwithstanding 2001
25 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
26 "c", and subsection 3, paragraph "a", subparagraph (2),
27 if the state funding expenditures for the nursing facility
28 budget for the fiscal year are projected to exceed the amount
29 specified in subparagraph (1), the department shall adjust
30 the reimbursement for nursing facilities reimbursed under the
31 case-mix reimbursement system to maintain expenditures of the
32 nursing facility budget within the specified amount for the
33 fiscal year.

34 (3) For the fiscal year beginning July 1, 2014, special
35 population nursing facilities shall be reimbursed in accordance

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1 with the methodology in effect on June 30, 2014.

2 b. (1) For the fiscal year beginning July 1, 2014,
3 the department shall continue the pharmacy dispensing fee
4 reimbursement at \$10.12 per prescription until a cost of
5 dispensing survey is completed. The actual dispensing fee
6 shall be determined by a cost of dispensing survey performed
7 by the department and required to be completed by all medical
8 assistance program participating pharmacies every two years
9 beginning in FY 2014-2015.

10 (2) The department shall utilize an average acquisition
11 cost reimbursement methodology for all drugs covered under the
12 medical assistance program in accordance with 2012 Iowa Acts,
13 chapter 1133, section 33.

14 c. (1) For the fiscal year beginning July 1, 2014,
15 reimbursement rates for outpatient hospital services shall
16 remain at the rates in effect on June 30, 2014.

17 (2) For the fiscal year beginning July 1, 2014,
18 reimbursement rates for inpatient hospital services shall
19 remain at the rates in effect on June 30, 2014.

20 (3) For the fiscal year beginning July 1, 2014, the graduate
21 medical education and disproportionate share hospital fund
22 shall remain at the amount in effect on June 30, 2014, except
23 that the portion of the fund attributable to graduate medical
24 education shall be reduced in an amount that reflects the
25 elimination of graduate medical education payments made to
26 out-of-state hospitals.

27 (4) In order to ensure the efficient use of limited state
28 funds in procuring health care services for low-income Iowans,
29 funds appropriated in this Act for hospital services shall
30 not be used for activities which would be excluded from a
31 determination of reasonable costs under the federal Medicare
32 program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

33 d. For the fiscal year beginning July 1, 2014, reimbursement
34 rates for rural health clinics, hospices, and acute mental
35 hospitals shall be increased in accordance with increases under

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1 the federal Medicare program or as supported by their Medicare
2 audited costs.

3 e. For the fiscal year beginning July 1, 2014, independent
4 laboratories and rehabilitation agencies shall be reimbursed
5 using the same methodology in effect on June 30, 2014.

6 f. (1) For the fiscal year beginning July 1, 2014,
7 reimbursement rates for home health agencies shall continue to
8 be based on the Medicare low utilization payment adjustment
9 (LUPA) methodology in effect on June 30, 2014, as adjusted to
10 not exceed the reimbursement for the fiscal year beginning July
11 1, 2013 with state geographic wage adjustments. Beginning July
12 1, 2015, the department shall update the rates every two years
13 to reflect the most recent Medicare LUPA rates.

14 (2) For the fiscal year beginning July 1, 2014, rates for
15 private duty nursing and personal care services under the early
16 and periodic screening, diagnostic, and treatment program
17 benefit shall be calculated based on the methodology in effect
18 on June 30, 2014.

19 g. For the fiscal year beginning July 1, 2014, federally
20 qualified health centers shall receive cost-based reimbursement
21 for 100 percent of the reasonable costs for the provision of
22 services to recipients of medical assistance.

23 h. For the fiscal year beginning July 1, 2014, the
24 reimbursement rates for dental services shall remain at the
25 rates in effect on June 30, 2014.

26 i. (1) For the fiscal year beginning July 1, 2014,
27 state-owned psychiatric medical institutions for children shall
28 receive cost-based reimbursement for 100 percent of the actual
29 and allowable costs for the provision of services to recipients
30 of medical assistance.

31 (2) For the nonstate-owned psychiatric medical institutions
32 for children, reimbursement rates shall be based on the
33 reimbursement methodology developed by the department as
34 required for federal compliance.

35 (3) As a condition of participation in the medical

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1 assistance program, enrolled providers shall accept the medical
2 assistance reimbursement rate for any covered goods or services
3 provided to recipients of medical assistance who are children
4 under the custody of a psychiatric medical institution for
5 children.

6 j. For the fiscal year beginning July 1, 2014, unless
7 otherwise specified in this Act, all noninstitutional medical
8 assistance provider reimbursement rates shall remain at the
9 rates in effect on June 30, 2014, except for area education
10 agencies, local education agencies, infant and toddler
11 services providers, home and community-based services providers
12 including consumer-directed attendant care providers under a
13 section 1915(c) or 1915(i) waiver, targeted case management
14 providers, and those providers whose rates are required to be
15 determined pursuant to section 249A.20.

16 k. Notwithstanding any provision to the contrary, for the
17 fiscal year beginning July 1, 2014, the reimbursement rate for
18 anesthesiologists shall remain at the rate in effect on June
19 30, 2014.

20 l. For the fiscal year beginning July 1, 2014, the average
21 reimbursement rate for health care providers eligible for use
22 of the federal Medicare resource-based relative value scale
23 reimbursement methodology under section 249A.20 shall remain
24 at the rate in effect on June 30, 2014; however, this rate
25 shall not exceed the maximum level authorized by the federal
26 government. The department may adjust reimbursement rates
27 under this paragraph to more closely align with the Medicare
28 fee schedule. Any such adjustment shall be budget neutral.

29 m. For the fiscal year beginning July 1, 2014, the
30 reimbursement rate for residential care facilities shall not
31 be less than the minimum payment level as established by the
32 federal government to meet the federally mandated maintenance
33 of effort requirement. The flat reimbursement rate for
34 facilities electing not to file annual cost reports shall not
35 be less than the minimum payment level as established by the

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1 federal government to meet the federally mandated maintenance
2 of effort requirement.

3 n. For the fiscal year beginning July 1, 2014, the
4 reimbursement rates for inpatient mental health services
5 provided at hospitals shall remain at the rates in effect
6 on June 30, 2014, subject to Medicaid program upper payment
7 limit rules; community mental health centers and providers
8 of mental health services to county residents pursuant to a
9 waiver approved under section 225C.7, subsection 3, shall be
10 reimbursed at 100 percent of the reasonable costs for the
11 provision of services to recipients of medical assistance; and
12 psychiatrists shall be reimbursed at the medical assistance
13 program fee for service rate.

14 o. For the fiscal year beginning July 1, 2014, the
15 reimbursement rate for providers of family planning services
16 that are eligible to receive a 90 percent federal match shall
17 remain at the rates in effect on June 30, 2014.

18 p. For the fiscal year beginning July 1, 2014, the upper
19 limits on reimbursement rates for providers of home and
20 community-based services waiver services shall be the limits in
21 effect on June 30, 2014.

22 q. For the fiscal year beginning July 1, 2014, the
23 reimbursement rate for emergency medical service providers
24 shall be the rate in effect on June 30, 2014.

25 2. For the fiscal year beginning July 1, 2014, the
26 reimbursement rate for providers reimbursed under the
27 in-home-related care program shall not be less than the minimum
28 payment level as established by the federal government to meet
29 the federally mandated maintenance of effort requirement.

30 3. Unless otherwise directed in this section, when the
31 department's reimbursement methodology for any provider
32 reimbursed in accordance with this section includes an
33 inflation factor, this factor shall not exceed the amount
34 by which the consumer price index for all urban consumers
35 increased during the calendar year ending December 31, 2002.



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1 4. a. For the fiscal year beginning July 1, 2014, the
2 foster family basic daily maintenance rate and the maximum
3 adoption subsidy rate for children ages 0 through 5 years shall
4 be \$16.78, the rate for children ages 6 through 11 years shall
5 be \$17.45, the rate for children ages 12 through 15 years shall
6 be \$19.10, and the rate for children and young adults ages 16
7 and older shall be \$19.35. For youth ages 18 to 21 who have
8 exited foster care, the preparation for adult living program
9 maintenance rate shall be \$602.70 per month. The maximum
10 payment for adoption subsidy nonrecurring expenses shall be
11 limited to \$500 and the disallowance of additional amounts
12 for court costs and other related legal expenses implemented
13 pursuant to 2010 Iowa Acts, chapter 1031, section 408 shall be
14 continued.

15 5. For the fiscal year beginning July 1, 2014, the maximum
16 reimbursement rates under the supervised apartment living
17 program and for social services providers under contract
18 shall remain at the rates in effect on June 30, 2014, ~~or the~~
19 ~~provider's actual and allowable cost plus inflation for each~~
20 ~~service, whichever is less. However, if.~~ If a new service
21 or service provider is added after June 30, 2014, the initial
22 reimbursement rate for the service or provider shall be based
23 upon a weighted average of provider rates for similar services.

24 6. For the fiscal year beginning July 1, 2014, the
25 reimbursement rates for family-centered service providers,
26 family foster care service providers, group foster care service
27 providers, and the resource family recruitment and retention
28 contractor shall remain at the rates in effect on June 30,
29 2014.

30 7. The group foster care reimbursement rates paid for
31 placement of children out of state shall be calculated
32 according to the same rate-setting principles as those used for
33 in-state providers, unless the director of human services or
34 the director's designee determines that appropriate care cannot
35 be provided within the state. The payment of the daily rate

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1 shall be based on the number of days in the calendar month in
2 which service is provided.

3 8. a. For the fiscal year beginning July 1, 2014, the
4 reimbursement rate paid for shelter care and the child welfare
5 emergency services implemented to provide or prevent the need
6 for shelter care shall be established by contract.

7 b. For the fiscal year beginning July 1, 2014, the combined
8 service and maintenance components of the reimbursement rate
9 paid for shelter care services shall be based on the financial
10 and statistical report submitted to the department. The
11 maximum reimbursement rate shall be \$96.98 per day. The
12 department shall reimburse a shelter care provider at the
13 provider's actual and allowable unit cost, plus inflation, not
14 to exceed the maximum reimbursement rate.

15 c. ~~Notwithstanding section 232.141, subsection 8, for~~
16 ~~For the fiscal year beginning July 1, 2014, the amount of~~
17 ~~the statewide average of the actual and allowable rates for~~
18 ~~reimbursement of juvenile shelter care homes that is utilized~~
19 ~~for the limitation on recovery of unpaid costs shall remain~~
20 ~~at the amount in effect for this purpose in the fiscal year~~
21 ~~beginning July 1, 2013 the limitation on juvenile shelter home~~
22 ~~costs payable by the public for purposes of section 232.141,~~
23 ~~subsection 8, as amended by this 2014 Act, is \$143.63.~~

24 9. For the fiscal year beginning July 1, ~~2013~~ 2014, the
25 department shall calculate reimbursement rates for intermediate
26 care facilities for persons with intellectual disabilities at
27 the 80th percentile. Beginning July 1, ~~2013~~ 2014, the rate
28 calculation methodology shall utilize the consumer price index
29 inflation factor applicable to the fiscal year beginning July
30 1, 2013.

31 10. For the fiscal year beginning July 1, 2014, for child
32 care providers reimbursed under the state child care assistance
33 program, the department shall set provider reimbursement rates
34 based on the rate reimbursement survey completed in December
35 2004. However, for the fiscal year beginning July 1, 2014,

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1 such reimbursement rates shall remain at the rates in effect
2 on June 30, 2014. The department shall set rates in a manner
3 so as to provide incentives for a nonregistered provider to
4 become registered by applying the increase only to registered
5 and licensed providers.

6 11. The department may adopt emergency rules to implement
7 this section.

8 Sec. 33. 2013 Iowa Acts, chapter 138, section 160, is
9 amended to read as follows:

10 SEC. 160. EMERGENCY RULES.

11 1. If specifically authorized by a provision of this
12 division of this Act for the fiscal year beginning July 1, ~~2013~~
13 2014, the department of human services or the mental health
14 and disability services commission may adopt administrative
15 rules under section 17A.4, subsection 3, and section 17A.5,
16 subsection 2, paragraph "b", to implement the provisions and
17 the rules shall become effective immediately upon filing or
18 on a later effective date specified in the rules, unless the
19 effective date is delayed by the administrative rules review
20 committee. Any rules adopted in accordance with this section
21 shall not take effect before the rules are reviewed by the
22 administrative rules review committee. The delay authority
23 provided to the administrative rules review committee under
24 section 17A.4, subsection 7, and section 17A.8, subsection 9,
25 shall be applicable to a delay imposed under this section,
26 notwithstanding a provision in those sections making them
27 inapplicable to section 17A.5, subsection 2, paragraph "b".
28 Any rules adopted in accordance with the provisions of this
29 section shall also be published as notice of intended action
30 as provided in section 17A.4.

31 2. If during the fiscal year beginning July 1, ~~2013~~
32 2014, the department of human services is adopting rules in
33 accordance with this section or as otherwise directed or
34 authorized by state law, and the rules will result in an
35 expenditure increase beyond the amount anticipated in the

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1 budget process or if the expenditure was not addressed in
2 the budget process for the fiscal year, the department shall
3 notify the persons designated by this division of this Act for
4 submission of reports, the chairpersons and ranking members
5 of the committees on appropriations, and the department of
6 management concerning the rules and the expenditure increase.
7 The notification shall be provided at least 30 calendar days
8 prior to the date notice of the rules is submitted to the
9 administrative rules coordinator and the administrative code
10 editor.

11 Sec. 34. 2013 Iowa Acts, chapter 138, section 161, is
12 amended to read as follows:

13 SEC. 161. REPORTS. Any reports or other information
14 required to be compiled and submitted under this Act during
15 the fiscal year beginning July 1, ~~2013~~ 2014, shall be
16 submitted to the chairpersons and ranking members of the joint
17 appropriations subcommittee on health and human services, the
18 legislative services agency, and the legislative caucus staffs
19 on or before the dates specified for submission of the reports
20 or information.

21 DIVISION VI

22 HEALTH CARE ACCOUNTS AND FUNDS

23 Sec. 35. 2013 Iowa Acts, chapter 138, section 162, is
24 amended to read as follows:

25 SEC. 162. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
26 appropriated from the pharmaceutical settlement account created
27 in section 249A.33 to the department of human services for the
28 fiscal year beginning July 1, 2014, and ending June 30, 2015,
29 the following amount, or so much thereof as is necessary, to be
30 used for the purpose designated:

31 Notwithstanding any provision of law to the contrary, to
32 supplement the appropriations made in this Act for medical
33 contracts under the medical assistance program for the fiscal
34 year beginning July 1, ~~2013~~ 2014, and ending June 30, ~~2014~~
35 2015:

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1 \$ ~~3,325,000~~
2 5,467,564

3 Sec. 36. 2013 Iowa Acts, chapter 138, section 163, is
4 amended to read as follows:

5 SEC. 163. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
6 HUMAN SERVICES. Notwithstanding any provision to the contrary
7 and subject to the availability of funds, there is appropriated
8 from the quality assurance trust fund created in section
9 249L.4 to the department of human services for the fiscal year
10 beginning July 1, 2014, and ending June 30, 2015, the following
11 amounts, or so much thereof as is necessary, for the purposes
12 designated:

13 To supplement the appropriation made in this Act from the
14 general fund of the state to the department of human services
15 for medical assistance for the same fiscal year:

16 \$ ~~28,788,917~~
17 29,195,653

18 Sec. 37. 2013 Iowa Acts, chapter 138, section 165, is
19 amended to read as follows:

20 SEC. 165. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
21 FOR FY 2014-2015. Notwithstanding section 8.33, if moneys
22 appropriated for purposes of the medical assistance program for
23 the fiscal year beginning July 1, 2014, and ending June 30,
24 2015, from the general fund of the state, the quality assurance
25 trust fund and the hospital health care access trust fund, are
26 in excess of actual expenditures for the medical assistance
27 program and remain unencumbered or unobligated at the close
28 of the fiscal year, the excess moneys shall not revert but
29 shall remain available for expenditure for the purposes of the
30 medical assistance program until the close of the succeeding
31 fiscal year.

32 DIVISION VII

33 MISCELLANEOUS

34 Sec. 38. Section 35A.16, subsection 1, paragraph b, Code
35 2014, is amended to read as follows:

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1 **b.** There is appropriated from the general fund of the state
2 to the department, for the fiscal year beginning July 1, 2009,
3 and for each subsequent fiscal year, the sum of ~~one million~~
4 nine hundred ninety thousand dollars to be credited to the
5 county commissions of veteran affairs fund.

6 Sec. 39. Section 225C.38, subsection 1, paragraph c, Code
7 2014, is amended to read as follows:

8 **c.** Except as provided in section 225C.41, a family support
9 subsidy for a fiscal year shall be in an amount determined by
10 the department. However, if at any time during the fiscal year
11 the funding amount available for the family support subsidy
12 program is reduced from the amount initially used to establish
13 the subsidy amount, the department shall revise the subsidy
14 amount as necessary to conform to the funding amount available.
15 The parent or legal guardian receiving a family support subsidy
16 may elect to receive a payment amount which is less than the
17 amount determined in accordance with this paragraph.

18 Sec. 40. Section 232.141, subsection 5, Code 2014, is
19 amended by adding the following new paragraph:

20 NEW PARAGRAPH. **c.** (1) The amount allocated for a fiscal
21 year for purposes of subsection 4 in the appropriation
22 enacted by the general assembly for that fiscal year shall be
23 distributed to the judicial districts as determined by the
24 state court administrator and to the department's service areas
25 as determined by the administrator of the department's division
26 of child and family services. The state court administrator
27 and the division administrator shall make the determination of
28 the distribution amounts on or before June 15 preceding the
29 beginning of the fiscal year.

30 (2) A district or juvenile court shall not order any service
31 which is a charge upon the state pursuant to subsection 4 if
32 there are insufficient court-ordered services funds available
33 in the district court or departmental service area distribution
34 amounts to pay for the service. The chief juvenile court
35 officer and the departmental service area manager shall

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1 encourage use of the distribution amounts and other available
2 moneys such that there are sufficient funds to pay for all
3 court-related services during the entire year. The chief
4 juvenile court officers and departmental service area managers
5 shall attempt to anticipate potential surpluses and shortfalls
6 in the distribution amounts and shall cooperatively request the
7 state court administrator or division administrator to transfer
8 funds between the judicial districts' or departmental service
9 areas' distribution amounts as prudent.

10 (3) Notwithstanding any provision of law to the contrary,
11 a district or juvenile court shall not order a county to pay
12 for any service provided to a juvenile pursuant to an order
13 entered under this chapter which is a charge upon the state in
14 accordance with subsection 4.

15 Sec. 41. Section 232.141, subsection 8, Code 2014, is
16 amended to read as follows:

17 8. This subsection applies only to placements in a juvenile
18 shelter care home which is publicly owned, operated as a county
19 or multicounty shelter care home, organized under a chapter
20 28E agreement, or operated by a private juvenile shelter care
21 home. If the actual and allowable costs of a child's shelter
22 care placement exceed the ~~amount~~ maximum reimbursement rate
23 the department is authorized to pay in accordance with law
24 and administrative rule, the unpaid costs may be recovered
25 from the child's county of legal settlement. However, the
26 ~~maximum~~ amount of the unpaid costs which may be recovered
27 under this subsection is limited to the difference between
28 the ~~amount~~ maximum reimbursement rate the department is
29 authorized to pay and the ~~statewide average of the actual and~~
30 ~~allowable rates in effect in May of the preceding fiscal year~~
31 ~~for reimbursement of juvenile shelter care homes~~ limitation
32 on juvenile shelter home costs payable by the public for the
33 fiscal year. The limitation shall be established for a fiscal
34 year in appropriations law enacted by the general assembly. In
35 no case shall the home be reimbursed for more than the home's



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1 actual and allowable costs. The unpaid costs are payable
2 pursuant to filing of verified claims against the county of
3 legal settlement. A detailed statement of the facts upon
4 which a claim is based shall accompany the claim. Any dispute
5 between counties arising from filings of claims pursuant to
6 this subsection shall be settled in the manner provided to
7 determine residency in section 331.394.

8 Sec. 42. Section 232.142, subsection 3, Code 2014, is
9 amended to read as follows:

10 3. A county or multicounty juvenile detention home approved
11 pursuant to this section shall receive financial aid from the
12 state ~~in a manner approved by the director~~ in accordance with
13 the requirements established in this section for the juvenile
14 detention home fund and in appropriations made to provide such
15 aid. ~~Aid~~ The amount of aid paid by the state shall not be at
16 ~~least ten percent and not more than fifty percent of the total~~
17 ~~cost costs~~ of the establishment, improvements, operation, and
18 maintenance of the home.

19 Sec. 43. Section 234.35, subsection 1, unnumbered paragraph
20 1, Code 2014, is amended to read as follows:

21 The department of human services is responsible for paying
22 the cost of foster care for a child, ~~according to rates~~
23 ~~established pursuant to section 234.38,~~ and for shelter care,
24 under any of the following circumstances:

25 Sec. 44. Section 234.38, Code 2014, is amended to read as
26 follows:

27 **234.38 Foster care reimbursement rates.**

28 The department of human services shall make reimbursement
29 payments directly to foster parents for services provided to
30 children pursuant to section 234.6, subsection 6, paragraph
31 "b", or section 234.35. In any fiscal year, unless otherwise
32 provided by law and subject to the appropriation of sufficient
33 funding, the reimbursement rate shall be based upon sixty-five
34 percent of the United States department of agriculture
35 estimate of the cost to raise a child in the calendar year



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1 immediately preceding the fiscal year. The department may pay
2 an additional stipend for a child with special needs.

3 Sec. 45. Section 249A.20, Code 2014, is amended to read as
4 follows:

5 **249A.20 Noninstitutional health providers — reimbursement.**

6 1. Beginning November 1, 2000, the The department shall
7 use the federal Medicare resource-based relative value scale
8 methodology to reimburse all applicable noninstitutional health
9 providers, excluding anesthesia and dental services, that ~~on~~
10 ~~June 30, 2000,~~ are reimbursed on a fee-for-service basis for
11 provision of services under the medical assistance program.
12 The department shall apply the federal Medicare resource-based
13 relative value scale methodology to such health providers in
14 the same manner as the methodology is applied under the federal
15 Medicare program and shall not utilize the resource-based
16 relative value scale methodology in a manner that discriminates
17 between such health providers. The reimbursement schedule
18 shall be adjusted annually on July 1, and shall provide for
19 reimbursement that is not less than the reimbursement provided
20 under the fee schedule established for Iowa under the federal
21 Medicare program in effect on January 1 of that calendar year
22 and adjusted as necessary to not exceed the amount appropriated
23 to the department for this purpose for the fiscal year.

24 2. A provider reimbursed under section 249A.31 is not a
25 noninstitutional health provider.

26 DIVISION VIII

27 PRIOR APPROPRIATIONS AND RELATED CHANGES

28 Sec. 46. 2013 Iowa Acts, chapter 138, section 32, is amended
29 to read as follows:

30 SEC. 32. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
31 appropriated from the pharmaceutical settlement account created
32 in section 249A.33 to the department of human services for
33 the fiscal year beginning July 1, 2013, and ending June 30,
34 2014, the following ~~amount~~ amounts, or so much thereof as is
35 necessary, to be used for the ~~purpose~~ purposes designated:

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1 1. Notwithstanding any provision of law to the contrary,
2 to supplement the appropriations made in this Act for medical
3 contracts under the medical assistance program for the fiscal
4 year beginning July 1, 2013, and ending June 30, 2014:
5 \$ 6,650,000

6 2. Notwithstanding any provision of law to the contrary to
7 supplement the appropriations made in this Act for the medical
8 assistance program for the fiscal year beginning July 1, 2013,
9 and ending June 30, 2014:
10 \$ 631,110

11 Sec. 47. 2013 Iowa Acts, chapter 138, section 35, is amended
12 to read as follows:

13 SEC. 35. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
14 SERVICES. Notwithstanding any provision to the contrary and
15 subject to the availability of funds, there is appropriated
16 from the quality assurance trust fund created in section
17 249L.4 to the department of human services for the fiscal year
18 beginning July 1, 2013, and ending June 30, 2014, the following
19 amounts, or so much thereof as is necessary, for the purposes
20 designated:

21 To supplement the appropriation made in this Act from the
22 general fund of the state to the department of human services
23 for medical assistance for the same fiscal year:
24 \$ ~~28,788,917~~
25 31,160,454

26 Sec. 48. ACCOUNT FOR HEALTH CARE TRANSFORMATION — FY
27 2013-2014. As of December 31, 2013, any funds remaining in
28 the account for health care transformation created in section
29 249J.23, Code 2013, shall revert to the general fund of the
30 state.

31 Sec. 49. IOWACARE ACCOUNT. Until June 30, 2015, any funds
32 remaining in the IowaCare account created in section 249J.24,
33 Code 2013, shall remain available and are appropriated to the
34 department of human services for the payment of valid claims.

35 Sec. 50. IMMEDIATE EFFECTIVE DATE. This division of this

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1 Act, being deemed of immediate importance, takes effect upon
2 enactment.

3 Sec. 51. RETROACTIVE APPLICABILITY. The following sections
4 of this division of this Act apply retroactively to July 1,
5 2013:

6 1. The section relating to the reversion of funds remaining
7 in the account for health care transformation to the general
8 fund of the state.

9 2. The section relating to availability and appropriation
10 of the funds remaining in the IowaCare account.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to appropriations for health and human
15 services made in 2013 Iowa Acts, chapter 138 (SF 446) for
16 fiscal year 2014-2015 to the department of veterans affairs,
17 the Iowa veterans home, the department on aging, the department
18 of public health, Iowa finance authority, state board of
19 regents, department of inspections and appeals, department of
20 human rights, and enacted the department of human services
21 (DHS). With some exceptions the enacted amounts appropriated
22 for FY 2014-2015 are approximately 50 percent of the amounts
23 appropriated for the same purposes for the prior fiscal
24 year along with some other changes. The bill revises the
25 appropriation amounts. Vetoed language is omitted.

26 The bill is organized into divisions.

27 DEPARTMENT ON AGING — FY 2014-2015. This division amends
28 appropriations from the general fund of the state for the
29 department on aging for FY 2014-2015.

30 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2014-2015. This
31 division amends appropriations from the general fund of
32 the state for the office of long-term care ombudsman for FY
33 2014-2015.

34 DEPARTMENT OF PUBLIC HEALTH — FY 2014-2015. This division
35 amends appropriations from the general fund of the state for

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1 the department of public health for FY 2014-2015.

2 DEPARTMENT OF VETERANS AFFAIRS — FY 2014-2015. This
3 division amends appropriations from the general fund of the
4 state for the department of veterans affairs and the Iowa
5 veterans home for FY 2014-2015. In addition to amount changes,
6 the appropriations for the department and the veterans home are
7 divided into separate line items.

8 DEPARTMENT OF HUMAN SERVICES — FY 2014-2015. This division
9 amends appropriations from the general fund of the state and
10 the federal temporary assistance for needy families block
11 grant to DHS. The allocation for the family development
12 and self-sufficiency grant program is made directly to
13 the department of human rights. The reimbursement section
14 addresses reimbursement for providers reimbursed by the
15 department of human services. The allocations for certain
16 mental health and disability services (MH/DS) under the medical
17 assistance (Medicaid) appropriation are stricken and replaced
18 with a new, separate line item appropriation for the same
19 purposes. The appropriation for the Iowa juvenile home at
20 Toledo is amended to apply to the facilities located at the
21 home and to reduce the amount. A new appropriation is made
22 for the placement costs of female children adjudicated as
23 delinquent and male and female children adjudicated as a child
24 in need of assistance identified by the department, and for
25 the costs of compensatory education to address the reviews
26 of special education of certain children placed at the Iowa
27 juvenile home conducted by the department of education in
28 fall 2013 and reported to the department of human services on
29 October 7 and December 20, 2013.

30 HEALTH CARE ACCOUNTS AND FUND — FY 2014-2015. This division
31 amends certain health-related appropriations for FY 2014-2015.
32 A number of the appropriations are made for purposes of the
33 medical assistance (Medicaid) program in addition to the
34 general fund appropriations made for this purpose for the same
35 fiscal year.



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1 The appropriation from the pharmaceutical settlement
2 account to DHS, originally limited to supplement the Medicaid
3 program medical contracts appropriations, is expanded to also
4 supplement the general Medicaid appropriations.

5 An increase is made in the amount of the appropriation made
6 to supplement the Medicaid program from the quality assurance
7 trust fund.

8 The division provides that if the total amounts appropriated
9 from all sources for the medicaid program for FY 2014-2015
10 exceed the amount needed, the excess remains available to be
11 used for the program in the succeeding fiscal year.

12 MISCELLANEOUS. This division includes miscellaneous
13 statutory amendments involving the agencies receiving
14 appropriations in the bill and the programs administered by
15 those agencies. Many of the amendments codify exceptions to
16 codified law that were enacted in appropriations made in SF 466
17 and in previous years appropriations.

18 Code section 35A.16, relating to the county commissions
19 of veteran affairs fund, is amended to reduce the standing
20 appropriation to the fund from \$1 million to \$990,000. Each
21 county in the state receives \$10,000 from the fund annually.

22 Code section 225C.38, relating to payments under the family
23 support subsidy program, is amended to address the subsidy
24 amounts. If during the fiscal year the funding amount used
25 to establish the subsidy amount is reduced, the department is
26 required to revise the subsidy amount to conform to the funding
27 amount. The procedure for establishing the maximum amount of
28 unpaid costs that may be recovered from a child's county of
29 legal settlement is amended to provide for a limitation on
30 juvenile shelter home payable by the public to be established
31 for a fiscal year in appropriations law enacted by the general
32 assembly.

33 Code section 232.141, relating to juvenile justice
34 expenses, is amended to codify a procedure for the state
35 court administrator and a department of human services

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1 division administrator to distribute to judicial districts
2 and departmental service areas the overall amount allocated
3 by appropriation for juvenile justice court-ordered services.
4 The district or juvenile court is prohibited from ordering a
5 service charged to the state when there is insufficient funding
6 in the distribution amount. The court is also prohibited from
7 ordering a county to pay for a service that is a charge upon the
8 state.

9 Code section 232.141 is also amended to provide that state
10 reimbursement for a juvenile shelter placement is limited to
11 the amount the department of human services is authorized to
12 pay in accordance with law and administrative rule.

13 Code section 232.142, relating to the costs of juvenile
14 detention homes, is amended to remove a requirement for the
15 state financial aid to be at least 10 percent of the detention
16 home costs and to reference the funding source for the
17 financial aid.

18 Code section 234.35, relating to when the state is
19 responsible to pay for the cost of foster care, is amended to
20 include a reference to shelter care and to strike a reference
21 to a foster care reimbursement rate standard in Code section
22 234.38, which is amended by the bill.

23 Code section 234.38, relating to foster care reimbursement
24 rates, is amended to modify the requirement that the rates
25 shall be based on 65 percent of the federal estimate of the
26 cost to raise a child. The bill provides that the requirement
27 can be modified by law and is subject to the appropriation of
28 sufficient funding.

29 Code section 249A.20, relating to reimbursement of
30 noninstitutional health providers under the Medicaid program,
31 is amended to require that the annual adjustment of the
32 reimbursement schedule for the providers is based on the amount
33 of the annual appropriation made for this reimbursement.

34 PRIOR APPROPRIATIONS AND RELATED CHANGES. This division
35 includes changes to prior appropriations and other related

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1 changes including increases in the 2013-2014 appropriations
2 made from the pharmaceutical settlement account and the quality
3 assurance trust fund; a provision transferring any moneys
4 remaining in the account for health care transformation as
5 of December 31, 2013, to the general fund of the state; and
6 a provision authorizing that until June 30, 2015, funds in
7 the IowaCare account remain available and are appropriated to
8 the department of human services for payment of valid claims.
9 The division takes effect upon enactment and for the sections
10 relating to the health care transformation and IowaCare
11 accounts is retroactively applicable to July 1, 2013.



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Senate Study Bill 3134 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act relating to the continued effect of terms, conditions,
2 covenants, and provisions contained in documents and
3 instruments creating or regulating multiple housing
4 cooperatives and horizontal property regimes and including
5 applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5474SC (4) 85
rh/sc



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1 Section 1. NEW SECTION. 499A.23 Effect of documents and
2 instruments.

3 1. Unless amended or terminated by this chapter or by the
4 following documents or instruments, all terms, conditions,
5 covenants, and provisions contained in the following documents
6 or instruments shall remain in full force and effect as long as
7 the cooperative remains in existence:

8 a. The articles of incorporation of the cooperative and any
9 amendments thereto.

10 b. The bylaws of the cooperative and any amendments thereto.

11 c. Any proprietary leases, contracts, or other agreements
12 between the cooperative and a member of the cooperative or
13 between members of the cooperative.

14 d. Any property interests created by any documents or
15 instruments specified in paragraph "a", "b", or "c".

16 2. A document or instrument specified in subsection 1, and
17 any property interests created by such document or instrument,
18 shall not be extinguished, limited, or impaired by application
19 of section 558.68 or 614.24.

20 Sec. 2. NEW SECTION. 499B.21 Effect of documents and
21 instruments.

22 1. Unless amended or terminated by the following documents
23 or instruments, all terms, conditions, covenants, and
24 provisions contained in the following documents or instruments
25 shall remain in full force and effect as long as the horizontal
26 property regime remains in existence:

27 a. The declaration of the horizontal property regime and any
28 amendments thereto.

29 b. The articles of incorporation of the horizontal property
30 regime and any amendments thereto.

31 c. The bylaws of the horizontal property regime and any
32 amendments thereto.

33 d. Any property interests created by any documents or
34 instruments specified in paragraph "a", "b", or "c".

35 2. A document or instrument specified in subsection 1, and

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1 any property interests created by such document or instrument,
2 shall not be extinguished, limited, or impaired by application
3 of section 558.68 or 614.24.

4 Sec. 3. Section 558.68, Code 2014, is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. 6. This section shall not extinguish,
7 limit, or impair the validity of a document or instrument
8 specified in section 499A.23 or 499B.21, or any property
9 interests created by such document or instrument.

10 Sec. 4. Section 614.24, Code 2014, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 4. This section shall not extinguish,
13 limit, or impair the validity of a document or instrument
14 specified in section 499A.23 or 499B.21, or any property
15 interests created by such document or instrument.

16 Sec. 5. APPLICABILITY. This Act applies to all multiple
17 housing cooperatives and horizontal property regimes created
18 prior to, and still in existence on, July 1, 2014, and created
19 on or after July 1, 2014.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the effect of terms, conditions,
24 covenants, and provisions contained in documents and
25 instruments creating or regulating multiple housing
26 cooperatives and horizontal property regimes.

27 The bill provides that unless amended or terminated by
28 Code chapter 499A (multiple housing cooperatives) or by the
29 following documents or instruments, all terms, conditions,
30 covenants, and provisions contained in the following documents
31 or instruments, and any property interests created by any such
32 documents or instruments, shall remain in full force and effect
33 as long as the cooperative remains in existence: the articles
34 of incorporation and the bylaws of the cooperative and any
35 amendments thereto and any proprietary leases, contracts, or

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1 other agreements between the cooperative and a member of the
2 cooperative or between members of the cooperative.

3 The bill also provides that unless amended or terminated
4 by Code chapter 499B (horizontal property regimes) or by the
5 following documents or instruments, all terms, conditions,
6 covenants, and provisions contained in the following documents
7 or instruments, and any property interests created by any
8 such documents or instruments, shall remain in full force
9 and effect as long as the cooperative remains in existence:
10 the declaration of the horizontal property regime and any
11 amendments thereto and the articles of incorporation and the
12 bylaws of the horizontal property regime and any amendments
13 thereto.

14 The bill provides that the rule against perpetuities and
15 certain provisions relating to reversion or use restrictions on
16 land shall not impair the validity of a document or instrument
17 property interest specified in the bill.

18 The bill applies to all multiple housing cooperatives and
19 horizontal property regimes created prior to, and still in
20 existence on, July 1, 2014, and created on or after July 1,
21 2014.



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Senate Study Bill 3135 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act establishing a conditional plea in a criminal case.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5112XC (5) 85
jm/rj



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S.F. _____

1 Section 1. NEW SECTION. **801.1A Conditional pleas.**

2 1. A defendant in a criminal proceeding may enter a
3 conditional plea requesting that the court review specific
4 legal issues before the plea is enforceable against the
5 defendant. The legal issues shall be presented to the court
6 in the form of a motion and in writing. The state may file a
7 response to the defendant's motion.

8 2. Upon the entry of a conditional plea, the court shall
9 review the specific legal issues contained in the motion.
10 After review of the legal issues, the court shall do one of the
11 following:

12 a. If the court does not resolve the legal issues in the
13 defendant's favor, the plea shall be accepted for any of the
14 relevant counts of the information or indictment that are
15 connected to the motion and not resolved in the defendant's
16 favor, and for those counts the court shall enter a judgment of
17 conviction, and the case shall proceed to sentencing on those
18 counts, subject to appeal.

19 b. If the court resolves the legal issues in the defendant's
20 favor, the defendant shall be found not guilty on any of the
21 relevant counts of the information or indictment that are
22 connected to the motion and resolved in the defendant's favor,
23 and the case shall be dismissed for those counts.

24 c. The court may ask the defendant and the state to
25 supplement the arguments contained in the motion or response to
26 the motion for further consideration by the court.

27 3. Either party to the motion may appeal the final order
28 of the court within the same time period as appeals taken in
29 similar criminal proceedings. An appeal has the effect of
30 staying any acceptance of the plea. If a district associate
31 judge or magistrate is the judge in the case, the appeal shall
32 be to the district court. If a district judge is the judge in
33 the case, the appeal shall be to the supreme court subject to
34 the provisions of section 602.4102.

35

EXPLANATION

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1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to the entry of a conditional plea in a
4 criminal proceeding.

5 Under the bill, a defendant in a criminal proceeding may
6 enter a conditional plea so that the court review specific
7 legal issues before the plea is enforceable against the
8 defendant. The bill requires that the legal issues shall be
9 presented to the court in the form of a motion and in writing.
10 The bill allows the state to file a response to the defendant's
11 motion.

12 Upon entry of a conditional plea, the court shall do one of
13 the following: if the court does not resolve the legal issues
14 in the defendant's favor, the plea shall be accepted for any
15 of the relevant counts of the information or indictment that
16 are connected to the motion and not resolved in the defendant's
17 favor, and for those counts the court shall enter a judgment of
18 conviction, and the case shall proceed to sentencing on those
19 counts, subject to appeal; if the court resolves the legal
20 issues in the defendant's favor, the defendant shall be found
21 not guilty on any of the relevant counts of the information or
22 indictment that are connected to the motion and resolved in the
23 defendant's favor, and the case shall be dismissed for those
24 counts.

25 Under the bill, either party to the motion may appeal the
26 ruling of the court within the same time period as appeals
27 taken in similar criminal proceedings. The bill specifies
28 that an appeal has the effect of staying any acceptance of the
29 plea. If a district associate judge or magistrate is the judge
30 in the case, the appeal shall be to the district court. If a
31 district judge is the judge in the case, the appeal shall be
32 to the supreme court subject to the provisions of Code section
33 602.4102.

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jm/rj

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Senate Study Bill 3136 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON BOWMAN)

A BILL FOR

1 An Act providing an exemption from registration fees for
2 certain new completed motor vehicles purchased by an
3 equipment dealer for modification and resale.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5660XC (5) 85
dea/tm



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1 Section 1. Section 321.48, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. A transferee of a new completed motor
4 vehicle shall obtain a certificate of title for the vehicle
5 but is not required to pay the annual registration fee for the
6 vehicle, provided all of the following apply:

7 a. The transferee is an equipment dealer licensed as a motor
8 vehicle dealer under chapter 322.

9 b. The transferee purchases the vehicle at retail for
10 the purpose of modifying the vehicle as provided in section
11 321.105A, subsection 2, paragraph "c", subparagraph (31), prior
12 to selling it as a used vehicle to a business or government
13 entity.

14 c. The transferee operates the vehicle only for purposes
15 incidental to a resale.

16 d. The transferee displays a dealer plate on the vehicle or
17 does not drive the vehicle or permit it to be driven upon the
18 highways.

19 Sec. 2. Section 321.105A, subsection 2, paragraph c, Code
20 2014, is amended by adding the following new subparagraph:

21 NEW SUBPARAGRAPH. (31) (a) A new completed motor vehicle
22 purchased at retail by an equipment dealer who is licensed as a
23 motor vehicle dealer under chapter 322, provided that all of
24 the following apply:

25 (i) The equipment dealer modifies the vehicle as provided
26 in subparagraph division (b), subparagraph subdivision (i) or
27 (ii).

28 (ii) The total value of the work performed and the equipment
29 installed on the vehicle equals or exceeds eighty percent of
30 the purchase price paid for the new vehicle.

31 (iii) Notwithstanding section 322.3, the equipment dealer
32 sells the modified vehicle as a used vehicle to a purchaser
33 that is a business or government entity, and not an individual
34 consumer.

35 (b) For purposes of this subparagraph, "equipment dealer"

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1 means a person who does at least one of the following:

2 (i) Rebuilds new completed motor vehicles by fabricating,
3 altering, adding, or replacing essential parts, components,
4 or equipment for the purpose of building an ambulance, rescue
5 vehicle, fire vehicle, or towing or recovery vehicle.

6 (ii) Installs cranes, hook loaders, buckets, aerial
7 ladders, tanks, or special equipment on new completed motor
8 trucks with a gross vehicle weight rating of fourteen thousand
9 five hundred pounds or more.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 Under current law, an equipment dealer who rebuilds or
14 installs equipment on new vehicles can be licensed as a
15 wholesaler in order to acquire new vehicles without having
16 to title and register the vehicles or pay the fee for new
17 registration. However, after such a vehicle has been modified,
18 the retail sale of the modified vehicle must be completed
19 through a franchised dealer of the vehicle's line make.

20 This bill establishes an alternative process for an
21 equipment dealer with a motor vehicle dealer's license to
22 acquire a new completed motor vehicle without owing the fee
23 for new registration and, after modifying the vehicle, sell it
24 directly to a business or government entity as a used vehicle.
25 Under the bill, a new completed motor vehicle purchased at
26 retail by an equipment dealer licensed to sell motor vehicles
27 is exempt from the fee for new registration, provided that
28 three requirements are met:

29 1. The equipment dealer either rebuilds the new completed
30 motor vehicle by fabricating, altering, adding, or replacing
31 essential parts, components, or equipment for the purpose
32 of building an ambulance, rescue vehicle, fire vehicle, or
33 towing or recovery vehicle; or installs cranes, hook loaders,
34 buckets, aerial ladders, tanks, or special equipment on the new
35 completed motor truck having a gross vehicle weight rating of

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1 fourteen thousand five hundred pounds or more.

2 2. The total value of the work performed and the equipment
3 installed on the vehicle equals or exceeds 80 percent of the
4 purchase price paid for the new vehicle.

5 3. The equipment dealer sells the modified vehicle as a used
6 vehicle to a purchaser that is a business or government entity,
7 and not an individual consumer.

8 Because the equipment dealer's acquisition of a new
9 completed motor vehicle would be through a retail sale, the
10 equipment dealer would be required to obtain a certificate
11 of title and registration for the vehicle under the bill.
12 However, the bill exempts the equipment dealer from annual
13 registration fees, provided that the equipment dealer operates
14 the vehicle only for purposes incidental to a resale and
15 displays a dealer plate on the vehicle or does not drive the
16 vehicle or permit it to be driven upon the highways.



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Senate Study Bill 3137 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON DVORSKY)

A BILL FOR

- 1 An Act making a supplemental appropriation for the low-income
- 2 home energy assistance program and including effective date
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6067XC (2) 85
jp/tm



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1 Section 1. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM —
2 SUPPLEMENTAL APPROPRIATION. There is appropriated from the
3 general fund of the state to the division of community action
4 agencies of the department of human rights for the fiscal year
5 beginning July 1, 2013, and ending June 30, 2014, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purpose designated:

8 To supplement the appropriation made for the low-income
9 home energy assistance program in 2013 Iowa Acts, chapter 136,
10 section 10:

11 \$ 2,000,000

12 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill makes a supplemental appropriation from the
18 general fund of the state for FY 2013-2014 to the division of
19 community action agencies of the department of human rights for
20 the low-income home energy assistance program. The original
21 appropriation being supplemented is from federal block grant
22 funds.

23 The bill takes effect upon enactment.